

**CITY OF SHOREVIEW  
AGENDA  
REGULAR CITY COUNCIL MEETING  
September 4, 2012  
7:00 P.M.**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**APPROVAL OF AGENDA**

**PROCLAMATIONS AND RECOGNITIONS**

**CITIZENS COMMENTS** - *Individuals may address the City Council about any item not included on the regular agenda. Specific procedures that are used for Citizens Comments are available on notecards located in the rack near the entrance to the Council Chambers. Speakers are requested to come to the podium, state their name and address for the clerk's record, and limit their remarks to three minutes. Generally, the City Council will not take official action on items discussed at this time, but may typically refer the matter to staff for a future report or direct that the matter be scheduled on an upcoming agenda.*

**COUNCIL COMMENTS**

**CONSENT AGENDA** - *These items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and placed elsewhere on the agenda.*

1. August 13, 2012 City Council Workshop Meeting Minutes
2. August 20, 2012 City Council Meeting Minutes
3. Receipt of Committee/Commission Minutes—
  - Economic Development Authority, July 9, 2012
  - Economic Development Commission, July 17, 2012
  - Planning Commission, July 24, 2012
  - Park and Recreation Commission, August 23, 2012
  - Environmental Quality Committee, August 27, 2012
4. Verified Claims

5. Purchases
6. Approval of Application for Exempt Permit—Emmet D. Williams Elementary PTA
7. Developer Escrow Reduction
8. Approve Final Payment—2012 Street Seal Coat Project, CP 12-05
9. Approval of Community Center Rate Adjustments

#### **PUBLIC HEARING**

#### **GENERAL BUSINESS**

10. Items Related to 2013 Tax Levy and Budget
  - A. Adopt Preliminary Tax Levy
  - B. Establish Dates for Budget Hearing
11. Agreement for Legal Services

#### **STAFF AND CONSULTANT REPORTS AND RECOMMENDATIONS**

#### **SPECIAL ORDER OF BUSINESS**

#### **ADJOURNMENT**

**SHOREVIEW CITY COUNCIL WORKSHOP MEETING  
MINUTES  
August 13, 2012**

**Attendees:**

City Council: Mayor Martin; Councilmembers Huffman, Quigley, Wickstrom and Withhart

Staff: Terry Schwerm, City Manager  
Jeanne Haapala  
Mark Maloney, Public Works Director  
Fred Espe  
Tessia Melvin

Mayor Martin opened the meeting at 7:04 p.m.

**REVIEW OF PROPOSED PRELIMINARY TAX LEVY FOR 2013**

**Presentation by City Manager Schwerm and Finance Director Jeanne Haapala**

Last year the Council adopted a biennial budget process. This is the second year of the biennium, which means the budget presented is what was adopted last year with updated changes. The proposed tax levy for 2013 was projected to be 4.25% but has been revised to under 3.4% after all department requests. It is staff's recommendation that the preliminary levy, required to be adopted by September 15, 2012, be an increase of 3.4%. The largest increase in the General Fund is a result of increased police and fire safety contracts.

Preliminary property values have not been received from Ramsey County as yet, but it is expected that they will drop again with a median home value decrease from \$235,700 to \$222,200, which is 5.7%. Property values have dropped consistently in the last five years. Some properties have gained value, but the final numbers are not available from the County.

As presented in the biennial budget last year, a 2% wage increase is planned for this year. The City plans to continue with the high deductible health plan adopted a few years ago. The City will increase its contribution of \$50 per month per employee.

Staff has re-evaluated revenue projections for licenses and permits and charges for services for engineering projects. The original amount projected for 2013 shows an increase of \$79,290 to the General Fund. Overall, there is a 2.8% increase in revenue for the two-year period.

Items that impact the change in property tax levy. A total increase of revenue is projected to be approximately \$170,000. Impact to expenses include a 10% increase to the fire budget. This is largely due to adding a Sunday shift for duty crews beginning in April. Once the Sunday shift is

in place, all hours will be covered except overnight. All firefighters are trained at least to the EMT level, and 95% of calls are medical. Shoreview's share of the Fire Department's budget formula has increased due to the increase in response to medical calls.

The 3.5% rise in police costs are due to increases in the consolidated dispatch system costs at the county level. These expenses are rising faster than anticipated. The cost of a new computer aided dispatch system is included in this cost. Also, Shoreview's portion of the cost for a new deputy will begin in 2013, in the amount of approximately \$30,000. This expense is shared with the other contract cities with the Ramsey County Sheriff's Department.

Councilmember Withhart expressed concern about City Manager Schwerm taking on the duties of Park and Recreation Director for the long term. Parks and recreation is a big operation, and the City should be planning for the long term to replace that position. Mr. Schwerm responded that in 2013, the position will be evaluated for the next two-year budget cycle. Some restructuring has been done with more of those duties being taken on by the Community Center General Manager. She is doing significantly more work with programs. Buildings and grounds maintenance and projects are managed by a superintendent. Mr. Schwerm attends all Park and Recreation Commission meetings.

Councilmember Wickstrom asked the amount of revenue to the Community Center that comes from the General Fund. Mr. Schwerm stated that \$230,000 is transferred into the Community Center each year to cover about 10% of the \$2.3 million of operating costs. Park maintenance also comes out of the General Fund. The Community Center has a budget of approximately \$2.3 million, of which \$2.1 million is covered through fees. Recreation programs are generally self-sustaining.

The Forestry program is one of the biggest changes to the proposed budget adding funds to hire a forestry intern, remove diseased ash trees, and treat public ash trees. As currently envisioned, the intern would be responsible for treating ash trees using a trunk injection technology and residents would only pay the cost of the chemical that is used in the injection. By using this approach, the cost of the treatment, which lasts 2-3 years, would be reduced significantly leading to more protection of ash trees in the City.

Mayor Martin suggested a surcharge to cover part of the cost of the intern. This is a new service. Rather than just covering the cost of the chemicals, there should be a fee.

In 2006, the City issued its first ever street bond and adopted a policy to issue bonds for street rehabilitation every five years. It is now seven years later and it is proposed that the City again issue street rehabilitation bonds. The Capital Improvement Program (CIP) is being updated for review this fall. Mr. Maloney stated that the bond issue will cover approximately six miles of street. All streets identified for this work are in residential neighborhoods. Some of the streets include MSA roads.

Ms. Haapala stated that it is important to remember that the planned \$2.5 street bonds are factored into the debt levy. The reason the debt levy needs to increase \$27,000 is due to funds set aside from several fund surpluses to mitigate the impact of future debt issuance.

Next year County Road D will be rebuilt in cooperation with the City of Roseville. Shoreview is taking the lead on the road design work for which Roseville will reimburse. No major street project is planned in 2013, which makes it a good year to do the street rehabilitation program.

A lot of projects are not included in the CIP, such as the outdoor water play area which is planned for 2017. That project was pushed back for the improvements to Bucher Park. A broad discussion is needed with the Council on how to fund new initiatives. One option is the use of franchise fees on gas and electricity. More cities are using this money to fund capital projects.

Councilmember Withhart stated that he supports the increase of 3.4% as a starting point. He would support the use of franchise fees. Residents are tax sensitive with the decrease in home values and increasing taxes, which does not make sense. Efforts to broaden and diversify the income base would be a good move.

Councilmember Wickstrom supports the 3.4% increase as an initial tax levy increase. She noted that a big portion of the increase is in the public safety area.

Councilmember Quigley stated that 3.4% is defensible, but it is a big number in the current environment that continues to see no wage increases and high unemployment. The Council's fallback position has been that the community supports the level of services provided. However, people are not getting 3.5% increases in their jobs or in equity. He would like to see the levy increase closer to 2%. When resources are tight, people work harder and smarter, and the City can fall back on that.

Councilmember Huffman stated that he will support 3.4% for the preliminary levy. He would like the Council to pursue a broader policy discussion because it is a big number in this environment. Everything ties into the Community Survey, which is the best money spent, but the City still has to live within its budget even in a tough economy.

Mayor Martin responded that the budget presented is a status quo maintenance budget, which is what the City has done for quite some time now. She would like to keep building on the projects that improve the quality of life in the City and maintains Shoreview's stand as a high quality City. She worries about status quo budgets. Funds have not been added to Street Renewal for years, and projects cost more and more money. The Commons Park Plan is expensive and it would be great to bring parks up to higher standards. The water play area has the capability of increasing revenue and add enjoyment to the Community Center. Trails on Victoria should be installed for residents in southern Shoreview. There are many things she would like to be part of. The status quo is not good enough. She would like staff to look at other options for revenue, such as franchise fees to keep on building Shoreview. Businesses are planning expansions and thriving. Neighborhoods have been transformed from older seniors to neighborhoods of children with young families moving in. This is a sign that things are picking up. She does not want to stop at a status quo budget.

Councilmember Wickstrom stated that she has been opposed to use of franchise fees, but she agreed that this may be a time to rethink that position, as there are things that can be done and the City needs to move ahead.

Councilmember Quigley stated that when looking at trying to build more programs, the Council needs to be in agreement on goal setting.

Mayor Martin stated that the Council has done a good job of prioritizing. She agreed that further discussion is needed on goals and what the Council would like to see happen with specific capital projects and how the money will be found for them.

### **DISCUSSION REGARDING CITY WEBSITE REDESIGN**

The last website redesign for the City and Community Center was in 2010, when the website was split--one address for the city and one address for the Community Center. According to the Community Survey in 2010, 82% of residents indicated they use the website for City information and 77% use it to register for recreation programs. The website is the most important method of communicating with residents and saves a lot of staff time. The City has one IS person and only 3.5 people trained to post to the website. Better navigation tools are needed, as well as an updated look as needed. After reviewing other cities who recently redesigned their systems, staff found that six of seven use outside vendors.

Staff interviewed two vendors who offer the best tools and innovation. The new design being considered would have drop-down menus, mobile application of both websites, increased interaction with social media sites, an improved Content Management System and an Agenda program that would allow meeting packets to be posted online. Staff was most impressed with Vision Internet. The initial cost for this upgrade would be approximately \$54,000 and then \$7,000 per year for maintenance. The system would be viable 24/7, and the City would be eligible every four years for a redesign. Although not budgeted, it is proposed that financing would come from the City's General Fund.

Mayor Martin asked if billing and payment of utilities would be revamped. Staff will explore that option. Mr. Espe stated that options are being considered for utility billing online that would be the same as the credit card processing.

It was the consensus of the Council for staff to move forward with Vision Internet for a website redesign. The project will take approximately 8 months.

### **DISCUSSION REGARDING RUSTIC/HAWES/DEMAR STREET PROJECT**

As a result of discussion at the July workshop, staff sent a questionnaire to residents in the Hawes/Demar/Rustic Reconstruction project area asking them to rate the impact of road noise on a scale of 1 to 5. Of 67 surveys sent out, 35 were returned--a 52% return rate. The results are:

- 17 (48.5%) rated the noise at level 1
- 4 (11.4%) rated the noise at level 2

14 (40%) rated the noise at levels 3 to 5

Higher noise levels were not concentrated in one area but spread throughout the project. Comments were similar in that the noise is heard in basements; the noise sounds like someone knocking at the door; can wake people up early in the morning when traffic increases; and is louder in summer.

As a result of the number of concerns expressed, staff is recommending that the city undertake the diamond grinding process to reduce the noise caused by vehicles driving over joints in the concrete surface. Quotes for this work are estimated at \$33,000 that would be funded from the Street Renewal Fund.

Councilmember Withhart stated that concrete streets last 40 to 50 years. At \$33,000, it is less than \$1,000 a year to make a happy neighborhood.

Councilmember Quigley stated that everyone has a lot of noise. He believes if the survey were taken next year, the results would be different.

Three Councilmembers supported going forward with the diamond grinding process. This item will be on the agenda for the Council's August 20th meeting.

## **OTHER ISSUES**

### **Age Study**

Mayor Martin reported that Kathryn Roberts from Ecumen has contacted her about Shoreview becoming a pilot city for an innovation project on aging. The purpose would be to find out how to create an age-friendly community for all ages, not just seniors. An international committee is involved and would use Shoreview as an example. A summit would be held October 11, 2012, pulling in key people from the community. Ecumen would do all the work.

It was the consensus of the Council to support this project.

The meeting adjourned at 9:10 p.m.

**CITY OF SHOREVIEW  
MINUTES  
REGULAR CITY COUNCIL MEETING  
August 20, 2012**

**CALL TO ORDER**

Mayor Martin called the regular meeting of the Shoreview City Council to order at 7:00 p.m. on August 20, 2012.

**PLEDGE OF ALLEGIANCE**

The meeting opened with the Pledge of Allegiance.

**ROLL CALL**

The following members were present: Mayor Martin; Councilmembers Quigley, Wickstrom and Withhart.

Councilmember Huffman was absent.

**APPROVAL OF AGENDA**

Mayor Martin requested a brief discussion about meeting dates in August and September under the *Special Order of Business* portion of the meeting.

Mayor Martin noted that the public hearing under item No. 11 will be delayed.

Councilmember Withhart requested an update on the garage built without City permission and some discussion on the cul-de-sac put in on County Road F during the *Special Order of Business* portion of the meeting.

As a number of people are present for item No. 13, Mayor Martin proposed that item No. 13 be moved for consideration ahead of No. 12.

MOTION:     by Councilmember Wickstrom, seconded by Councilmember Withhart to approve the August 20, 2012 agenda with the changes indicated above.

VOTE:                   Ayes - 4                   Nays - 0

**PROCLAMATIONS AND RECOGNITIONS**

There were none.

**CITIZEN COMMENTS**

There were none

**COUNCIL COMMENTS****Mayor Martin:**

The last Friday Night Flix will be on Friday, August 24, 2012, at the pavilion. The movie is *Shrek Forever After*.

The pool will be shut down September 4<sup>th</sup> through September 21<sup>st</sup> for maintenance. The Fitness Center will be open.

Tuesday, August 21, is *Bike to Market Night*. Anyone who bikes to the Farmers' Market will get a free water bottle and tote bag.

**Councilmember Wickstrom:**

Thank you to everyone who hosted a *Night to Unite* party two weeks ago. It was good to see so many neighborhood parties.

**CONSENT AGENDA**

MOTION: by Councilmember Wickstrom, seconded by Councilmember Withhart to approve the Consent Agenda, for August 20, 2012, and all relevant resolutions for all item Nos. 1 through 10:

1. August 6, 2012 City Council Meeting Minutes
2. Monthly Reports:
  - Administration
  - Community Development
  - Finance
  - Public Works
  - Park and Recreation
3. Verified Claims in the Amount of \$2,607,733.94
4. Purchases
5. Acceptance of Gifts - Slice of Shoreview
6. Developer Escrow Reduction
7. Receive Assessment Roll and Order Public Hearing - Buffalo Lane Reconstruction, CP 11-09
8. Accept Quote for Concrete Pavement Rehabilitation
9. Approval of Application for Exempt Permit - Retrieve A Golden of Minnesota, Inc.
10. Acceptance of Vision Internet Proposal for Website Redesign and Hosting

Discussion:

Mayor Martin noted item No. 8 for approval, acceptance of the quote for the concrete pavement rehabilitation in the Hawes/Rustic Place/Demar neighborhood.

VOTE:           Ayes - 4                      Nays - 0

**PUBLIC HEARING**

**MODIFICATION OF MUNICIPAL DEVELOPMENT DISTRICT NO. 2 AND  
ESTABLISHMENT OF INCREMENT FINANCING DISTRICT NO. 8 (A  
REDEVELOPMENT DISTRICT), AND ADOPTION OF A TAX INCREMENT  
FINANCING PLAN - MIDLAND PLAZA REDEVELOPMENT /LAKEVIEW TERRACE  
APARTMENT PROJECT**

Mayor Martin stated that the Council has been asked to continue the public hearing until the Council meeting on Tuesday, September 4, 2012.

MOTION:       by Councilmember Wickstrom, seconded by Councilmember Withhart to continue the public hearing in consideration of the establishment of Increment District No. 8 relating to the Midland Plaza Redevelopment/Lakeview Terrace Apartment Project to the City Council meeting on Tuesday, September 4, 2012.

Discussion:

Councilmember Quigley asked for an update on this matter. Mr. Simonson stated that finance people and attorneys for both the City and the developer have been working hard to finalize the details of the agreement. The City was notified today that a few items remain to be worked out. Therefore, it was felt that this item should be held over until the September 4<sup>th</sup> meeting.

City Manager Schwerm stated that the basic framework of the financing agreement is still in place. There are some language details to work out.

ROLL CALL:       Ayes: Quigley, Wickstrom, Withhart, Martin  
                      Nays: None

**GENERAL BUSINESS**

**PROPOSED NAME CHANGE OF COUNTY ROAD F WEST OF HODGSON ROAD**

**Presentation by Public Works Director Mark Maloney**

The Lake Johanna Fire Chief has asked the City to consider renaming County Road F West to distinguish it from County Road F that runs east of Hodgson Road. This will also help the emergency response services to determine the most direct route to the street. With the recent

construction of the cul-de-sac on County Road F West, there is no longer interaction with Hodgson Road.

A letter was sent to affected residents on July 3, 2012. Two names were proposed: Demar Court or Virginia Court. Three responses were received with no consensus for or against the name change. One response supported Virginia Court.

A second letter was sent August 1, 2012, informing residents that the name change would be considered at the Council's August 20<sup>th</sup> meeting. To date, no responses have been received. All relevant government agencies and emergency response services would be notified once the name change is formally adopted.

Proposed Ordinance 896 would change the name of County Road F West from Demar Avenue east to the cul-de-sac to Virginia Court or Demar Court. The name change would become effective upon recording the ordinance with Ramsey County.

Mayor Martin opened the discussion to public comment.

**Mr. Ken Bergh**, 259 County Road F, stated that the wetland between Grass Lake and Snail Lake was named Hanska, which is the neighborhood preference for the new street name. Demar does not make sense, as there already is a Demar to the north. Also, there is no strong connection to Virginia. This is the only road that ends at the water way that was called Hanska Slough. Another possibility would be Walter Court in honor of Walter Sloan who was a Dean at Concordia for many years and the longest resident on the street. He would encourage Hanska Court and effort to rename the slough wetland Hanska to honor the history of the area.

Councilmember Withhart stated that he favors the name Hanska. The slough follows an old trail route to Snail Lake. He likes the connection to the history of the area.

Councilmember Quigley stated that the location of Virginia is a known north/south street, which would make it easy to locate.

Councilmember Withhart responded that Virginia is not a through street, which would make adding Virginia Court confusing.

Councilmember Wickstrom stated that she would support either Virginia or Hanska. She agreed it does not make sense to choose Demar.

**MOTION:** by Councilmember Withhart, seconded by Councilmember Wickstrom to adopt Ordinance No. 896 changing the name of the segment of County Road F West between Demar Avenue east and the cul-de-sac to Hanska Court.

**Discussion:**

Councilmember Withhart asked how long the street has been under jurisdiction of the city. Mr. Maloney answered almost 20 years.

Councilmember Wickstrom noted that any question regarding credit rating due to this address change should be easily documented and explained.

ROLL CALL:           Ayes: Wickstrom, Withhart, Quigley, Martin  
                              Nays: None

**PRELIMINARY PLAT/COMPREHENSIVE PLAN AMENDMENT/REZONING/  
PLANNED UNIT DEVELOPMENT - DEVELOPMENT STAGE - LAKEVIEW  
TERRACE, 3588 OWASSO STREET**

**Presentation by City Planner Kathleen Nordine**

This project would demolish the existing 13,000 square foot retail center in order to build a high density apartment complex of 104 units on this site. There are two parts to the project. One is the public road improvement and one is the private development of the apartment complex. The public road includes Owasso Street relocated north and realigned with County Road E to the west of Victoria Street. The realignment design considers existing and proposed land uses as well as peak traffic demand. The intersection would be signalized with turning lanes on Owasso and County Road E with sidewalk/trail improvements for pedestrians. The City has contracted with SEH for the road design.

One of the main benefits of the street realignment is improved traffic flow and safety. New infrastructure will manage volume of storm water and water quality entering Lake Shoreview.

The developer has submitted a number of applications for the redevelopment:

- A Comprehensive Plan Amendment to rezone the site from C, Commercial to RH, High Density Residential.
- A Preliminary Plat to create parcels for development and plat the roadway.
- Request to rezone the site from C1, Retail Service/R3, Multi-family Residential to PUD, Planned Unit Development.
- PUD Development Stage for the 104 unit apartment building.

The developer is seeking flexibility from setback requirements for the apartment building, parking garage and surface parking from Owasso Street. Flexibility is also requested for the building height, which is six stories at 78.5 feet tall. Flexibility is allowed in the PUD process.

The existing land use is Commercial and High Density Residential. The rezoning would be to only High Density Residential, consistent with the adjacent Midland Terrace property. High Density Residential allows 8 to 20 units per acre. Redevelopment would replace an underutilized property with housing that supports the City's housing goals. Housing options in the City would increase for rental and life-cycle housing. Redevelopment is a reinvestment in a current apartment complex that is located near employment areas and the regional transportation system.

The Preliminary Plat would subdivide the property into two parcels. Lot 1 would be the proposed apartment building. It does comply with minimum lot requirements for the R3 District. Outlot 2 would be parking for the adjacent apartment building. The plat includes dedication of right-of-way from Owasso Street that is being relocated to the north.

The rezoning request to PUD is consistent with Comprehensive Plan policies, and staff finds that the development will not have a significant impact on surrounding land uses. The developer is willing to enter into a Development Agreement with the City.

The City approved the Concept Stage Review of the PUD at its March 5<sup>th</sup> meeting. At that meeting, concerns were expressed about the proposed height of the apartment building and visual impact on the adjoining single-family residential neighborhood to the south. There was concern about proximity of the apartment building to Victoria Street. The building setback has been increased, but placement of the building is determined by road needs, wetland and parking needs. Lake Shoreview, a wetland, requires a minimum setback of 16.5 feet; the developer proposes 23.2 feet. This lake is not part of the City's Shoreland Management Ordinance but is a DNR protected wetland.

The maximum building height is 35 feet. The proposal is 78.5 feet. The City's regulations allow increased height as long as it does not exceed firefighting capability of the Lake Johanna Fire Department. No concerns have been expressed by the Fire Department. Also, the City requires an additional foot of setback for every foot of height exceeding the maximum of 35 feet. The Developer is seeking flexibility from this requirement for the building and parking.

The main concern is the visual impact to the single-family residential neighborhood to the south. Staff believes this is mitigated by the wetland/pond separation. Any reduction in height would not have a significant effect. Also, the high quality design of the structure will mitigate the impact.

City Code requires 260 parking stalls, or 2.5 stalls per unit. The proposal is for 180 stalls, which is 1.7 stalls per unit. A reduction in parking stalls is permitted if there is shared parking or the developer can show proof of parking. The adjacent Midland Terrace will provide overflow parking if it is needed. A minimum setback for parking is 20 feet from Owasso and Victoria Streets. The proposal is for a 5.1 foot setback from Owasso and 16 feet from Victoria.

Storm water management will include an underground treatment chamber before water is discharged into the wetland/pond area. Two filtration basins are proposed at the southeast and southwest corner of the building to address storm water quality. There is a shoreland vegetative buffer on the south side. Roof drainage would be direct to the wetland. Tycon is working with a consultant to further address water quality issues. The Environmental Quality Committee supports the storm water management plan but did ask the Developer to consider collecting roof runoff for reuse.

The Planning Commission reviewed the proposal at its April meeting and recommended approval on a 5 to 1 vote. The primary concern expressed related to the height of the building.

The Planning Commission approved the building based on the location adjacent to High Density Residential and proximity to employment, retail services and the transportation system.

Residents within 350 feet of the property were notified of the public hearing at the Planning Commission meeting and for this City Council meeting. There is support for the road realignment. However, there is opposition to the building height due to density, visual impact, neighborhood compatibility and traffic.

Staff believes the proposal supports City policies and goals regarding housing redevelopment and that the rezoning will not significantly impact adjacent land uses. The visual impact is mitigated by the wetland, the distance from the single-family neighborhood and architectural design. Realignment of the roadway will improve traffic flow and safety. Staff recommends approval of all requests subject to the conditions and findings in the staff report.

Mayor Martin stated that information from concerned residents has been received by all Councilmembers. Some have asked how many variances are associated with this development. She explained that a Planned Unit Development allows flexibility from requirements because a benefit is being received in exchange for that flexibility.

Planning Commissioner Deb Ferrington stated that the scale of the building is an issue, but the positives outweighed the negatives. These included redevelopment of a blighted property, the improved roadway, and increasing rental options in Shoreview. The one Commissioner who opposed the project felt there is not sufficient parking.

Mayor Martin opened the meeting to public comment.

**Ms. Sharon Coombs**, 3400 Owasso Street, stated that she expects to sell her house in the next five years. A new buyer will have the same interests she had when she came to Shoreview-- proximity to both Minneapolis and St. Paul, natural environment and the quality of the school district. Her concern is that impact to the quality of the school district was not mentioned. If this development brings more children to Island Lake School, she believes the quality of the school will be compromised. She questioned that people will pay high rent for a luxury apartment in this location near a railroad and fire station.

It seems the City is supporting this project rather than having a detached, impartial view. Island Lake School is an important stakeholder. She appreciates the fact that the City holds firm on its ordinances with respect to residential development. There are too many exceptions with this project. It is not true that roof runoff directly entering Lake Shoreview will not impact water quality. Roof material will be in the water and she is concerned that a City professional would make that statement.

**Ms. Murt Seltz**, 3328 Owasso Heights Road, expressed her concern about the amount of flexibility in this project. There are tremendous traffic problems during peak dropoff times at Island Lake School. The school is very crowded. The idea of a building with 104 units is a great concern. She asked if the School Superintendent has been consulted. The DNR defines a lake by its name and whether or not there is sustained vegetation growing in the water. To her

knowledge, there is not vegetation in Lake Shoreview. If the height is reduced, it will reduce revenue but it would be a positive impact on the community in terms of compatibility. The setback provides green space to approach the building. This will be needed for a high end rental building. Even parking islands are being eliminated. She is also concerned about the impact of the increased size of the intersection for children going to school. This project pushes the limits to excess. Her question is why this project is so large on a small parcel of property.

**Mr. Don Greenheck**, 3333 Owasso Heights Road, stated that he has never received information about the project, although he lives a mile away. His concern is the height and raising of the grade. He would like to find out what the cost-benefit analysis shows, as well as any traffic study and potential crime. The size of the building and issuing a number of variances is questionable. Shoreview is such a nice community with a responsive, protective government. It is his hope that the quality of life standards will not be relaxed to facilitate this project.

**Mr. Jeb Babbini**, 716 Harriet Avenue, stated that he agrees with the road realignment which will be safer. He objects to the new big complex. He anticipates traffic jams. On a Sunday afternoon he counted 50 cars in a 15-minute period. The project is too big for the area. He agreed with all previous comments in opposition.

**Ms. Cheryl Symonik**, 3588 Tiffany Lane, stated she did not receive any information on this project. Six stories will be the highest building in Shoreview. She cannot imagine luxury apartments on a railroad track. She agreed that an increase of students at Island Lake School would be a problem for the school.

**Mr. Paul Christianson**, 638 Harriet Avenue, stated that his main concern is the size of the development. The height is twice the amount allowed in the City's ordinance. The density and number of parking spaces will be crowded. The number of exceptions to City regulations is a problem.

### **Response to Resident Comments**

City Manager Schwerm stated that there have been conversations with the School Superintendent. With respect to the population of the school, there is no open enrollment. However, historically, these types of apartment projects do not bring a lot of new students to the school. The Superintendent is not concerned about an influx of new students. If 12 students were added, that would mean perhaps 2 per grade. Further on another question, market studies have been done on the market for this type of high end housing. The developer does not take this lightly with a \$20 million investment.

**Mr. Noah Bly**, Project Architect, Urban Works Architecture, stated that the plan is that this will be a luxury building. A market study done by Marquette Advisors indicates that this will be unique for Shoreview and will do very well. The developer knows from management of Lakeview Terrace, that there is demand for upscale units. Lakeview Terrace is being upgraded, but there is a limit to what can be done to existing buildings.

Mayor Martin asked about the factors that impacted the design of the proposed building. **Mr. Bly** responded that the parcel is tight between the new larger Owasso Street and the shoreland setback. The Developer has been working many months to find the best location for the building. Outside parking is required and has to be 60 feet wide, which leaves a tight space for the building. There were concerns about the original setback from Victoria, which has been increased. The building has also been reduced from 120 units to 104 units.

City Manager Schwerm noted that residents are supportive of the roadway realignment, which is critical to this project. Owasso Street is wider to align with County Road E across the street, and the intersection will have a traffic signal, which will increase safety. The cost of the road project started at \$1.2 million and has increased to \$2.9 million due to county standards and railroad improvements that have to be absorbed by the City. Without this project, the road realignment cannot be done because of the cost. Over time the cost will only increase.

**Mr. Bly** further stated that water quality will definitely be improved with the new infrastructure and a rain garden. The roof proposed is flat and water will be drained from a membrane that is deemed clean by the DNR.

Mayor Martin added that the school district has also been working with the City for a trail along County Road E up to Theissen Park. That is one of the tradeoff benefits. She added that trains run through The Summit development in North Oaks and through neighborhoods with high value homes in White Bear and Dellwood. People do not mind if they have the type of housing they are looking for. The height is a stretch for Shoreview. One thing that matters is that the proposed construction method eliminates big spaces between floors. Although it is six stories, it is not as tall as it might be because of the concrete construction being used between floors. This project is a balancing act. The benefits to Shoreview include a safer intersection, redevelopment of an empty strip mall and a style of housing not now available in Shoreview. It is close to Deluxe, Cummings, and PaR Systems, which is in the process of expanding. It is an area between residential and industry. The City is not reducing standards but offers flexibility for the project to happen. The financing is very complex and is structured so that tax dollars will be returned.

Councilmember Withhart noted that the Planning Commission and the Economic Development Authority have all reviewed this plan. He noted that the height is half that of a water tower. The project has been in process for a long time with a lot of thought about quality. He agreed that more green space around the parking space is needed. There are empty parking spaces at Lakeview Terrace and he would not want to see overdeveloped parking. Mr. Maloney added that the policies and rules adopted by Grass Lake Water Management Organization will be followed.

Mayor Martin stated that she, too, would like to see more green space, but the proximity to Island Lake Park and good walking areas provides green space.

Councilmember Wickstrom asked if this is an area where pervious surface could be used for the parking area to absorb water. Mr. Maloney stated that the public road analysis indicates that the soil is not amenable to a pervious surface.

Councilmember Wickstrom asked how the number of parking spaces was determined. **Mr. Bly** stated that there is enclosed and outside parking. The ratio of 1.7 is based on demand that will come from this building and a compromise with City regulations.

Councilmember Wickstrom asked for further explanation on the height. **Mr. Bly** explained that in a usual wood truss construction there is two feet between floors, and nine feet will be allowed in each unit. With the concrete construction proposed, there will be eight inches between floors. Often wood frame buildings have a pitched roof, which makes it even taller. The proposed building has a lower roof profile.

Councilmember Wickstrom stated that when she first heard the height, she was shocked. However, if this is not allowed, the impact of another development could be even more. Another shopping area would have impacts and the road work would not be done. The road cannot be done without the project. There is a grant from the Metropolitan Council to help with the road realignment. The project would not be eligible for this grant without at least 100 units. She further stated that she has learned from the League of Minnesota Cities, younger people are not going into home ownership. People ready to sell their single-family homes are being advised to not buy another home. These two factors provide a demand for higher end apartments. Although there are negatives with this project, she believes the benefits outweigh them.

Councilmember Quigley stated that the project has been thoroughly reviewed. The nature of PUD is flexibility and variance. The reason for PUDs is to work with difficult sites. There are a significant number of mitigating factors regarding the size of the development that have helped him to support this project.

Mayor Martin emphasized that the changes made are a result of the concerns expressed. She thanked residents for their input that identified the difficult issues.

**MOTION:** by Councilmember Quigley, seconded by Councilmember Withhart to adopt Resolution No. 12-34 amending the Comprehensive Plan and Ordinance No. 894 changing the zoning and approve the preliminary plat and PUD Development Stage requests submitted by Lakeview Terrace/Tycon Co. for the redevelopment of Midland Plaza, 3588 Owasso Street with a 104 unit apartment building subject to the following conditions:

### **Comprehensive Plan Amendment**

1. The planned land use of the property changing the existing C, Commercial land use designation to RH, High Density Residential.
2. Review and approval of the amendment by the Metropolitan Council.
3. The amendment will not be effective until the City grants approval of the Final Plat and PUD - Final Stage requests and the development agreements are executed.

**Rezoning**

1. This approval rezones the property from C1, Retail Service and R3, Multi-Dwelling Residential to PUD, Planned Unit Development.
2. The underlying zoning district for this PUD is R3, Multi-Dwelling Residential.
3. Rezoning is not effective until approvals are received for the Final Plat, PUD - Final Stage and development agreements executed.

**Preliminary Plat**

1. A public use dedication fee shall be submitted as required by ordinance prior to release of the final plat by the City.
2. The final plat shall include drainage and utility easements along the property lines. Drainage and utility easements along the roadways shall be 10 feet wide and along the side lot lines these easements shall be 5 feet wide and as required by the Public Works Director.
3. Private agreements shall be secured between the parcels in the subdivision and the adjoining Midland Terrace Apartment complex regarding joining driveway, parking and maintenance agreements. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
4. The developer shall submit as application to vacate Owasso Street with the Final Plat application.
5. The Final Plat shall be submitted to the City for approval with the Final Stage PUD application.

**Planned Unit Development - Development Stage**

1. This approval permits the redevelopment of 3588 Owasso Street parcels with a 104 unit 6-story tall apartment building as depicted in the plans submitted as part of this application.
2. Private agreements shall be secured between the parcels in the subdivision and the adjoining Midland Terrace Apartment complex regarding joining driveway, parking and maintenance agreements. Said agreements shall be submitted to the City Attorney for review and approval prior to the City's release of the Final Plat.
3. Access to the proposed development is prohibited from Victoria Street. Access to the site shall be provided via the driveways off of Owasso Street as indicated in the approved plan.
4. Revisions may be required to the tree preservation plan that addresses the replacement of trees along the existing Owasso Street. A revised plan, if required, shall be submitted with the Final Stage PUD and Final Plat applications. Replacement trees shall be planted in accordance with the City's Woodlands and Vegetation Ordinance.
5. Approval of the final grading, drainage, utility, and erosion control plans by the Public Works Director is required, prior to submittal to the City of applications for Final Plat and PUD - Final Stage. Final plans shall identify site construction limits and the treatment of work (i.e., driveways, parking areas, grading, etc.) at the periphery of these construction limits.
6. The proposed apartment housing structure shall be of a 6-story design as depicted on the plans submitted with this application. Said building shall include the architectural enhancements and high-quality building materials as identified. The structure shall not

exceed the height, 78.5 feet as identified in this report and on the submitted plans. The applicant is encouraged to explore options that will reduce the building height, provided the architectural quality and appearance of the building is not compromised.

7. Additional landscaping may be required along the south side of the building to soften the structure's appearance when viewed from the adjacent single-family residential neighborhood.
8. The applicant is required to enter into a Site Development Agreement and Erosion Control Agreement with the City. Said agreements shall be executed prior to the issuance of any permits for this project. The Development Agreement shall address:
  - a. Construction management and nuisances that may occur during the construction process, including parking for contractors. No parking is permitted on Victoria Street.
  - b. Best Management Practices for Water Quality improvement.
  - c. Landscape maintenance.
  - d. Maintenance of storm water management facilities, including the filtration basins.
9. This approval shall expire after two months if the Planned Unit Development - Final Stage application has not been submitted for City review and approval, as per Section 203.060 (C)(6).

**This approval is based on the following findings:**

1. The proposed redevelopment plan supports the policies stated in the Comprehensive Plan related to land use, housing and redevelopment.
2. The proposed redevelopment plan carries out the recommendations as set forth in the Housing Action Plan.
3. The proposed redevelopment plan will not adversely impact the planned land use of the surrounding property.
4. The proposed deviations permit this site to be redeveloped with a use that expands life-cycle and affordable housing, including housing choice in the City. The plan also results in a public road improvement project that will improve traffic flow and safety.
5. Sustainable design features will be incorporated into the building and site design.

**Discussion:**

Councilmember Withhart noted that the rezoning is not from apartment to something else. He looks forward to Tycon redeveloping the existing buildings. This is a good first step. The rezoning to PUD allows flexibility.

ROLL CALL:           Ayes: Withhart, Quigley, Wickstrom, Martin  
                               Nays: None

**SPECIAL ORDER OF BUSINESS**

**Meeting Dates**

As Mayor Martin will be out of town on September 10th, it is suggested that the workshop meeting for September be moved to September 24th. This would eliminate the workshop on October 8th, when City Manager Schwerm will be out of town.

Councilmember Withhart asked if the EDA meeting could also be moved to September 24th also. Mr. Simonson stated that items going to the Council on September 17 would make it necessary for the EDA to meet on September 10th.

It was the consensus of the Council to hold the September/October workshop meeting on September 24th.

### **Update on Morse Litigation**

City Attorney Filla reported that Mr. Morse was to appear at a deposition last Friday but failed to appear. The deposition date will not be continued. He has failed to appear on three dates. A Motion to Compel Discovery was filed today. Fees will also be requested.

City Manager Schwerm stated that the trial date is in March. Discovery will occur through the fall. Summary Judgment will be requested because of the lack of cooperation on the part of the plaintiff. The City is aware of the neighborhood's concerns, but the process is slow because of the court system.

### **County Road F/Demar**

Councilmember Withhart asked about accommodation for a trail access across the cul-de-sac toward the east. Mr. Maloney stated that the delay is due to the redesign of Highway 49. The City will not undertake work that is expensive to undo with the reconstruction of Highway 49. That project has been pushed out to 2016 due to a MnDOT I-35E project that will push traffic to use Highway 49 as an alternate. Staff will look into creating a trail connection to this area.

### **ADJOURNMENT**

MOTION: by Councilmember Withhart, seconded by Councilmember Wickstrom to adjourn the meeting at 9:32 p.m.

VOTE: Ayes - 4 Nays - 0

Mayor Martin declared the meeting adjourned.

THESE MINUTES APPROVED BY COUNCIL ON THE \_\_ DAY OF \_\_\_\_\_ 2012.

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Terry C. Schwerm  
City Manager

**SHOREVIEW ECONOMIC DEVELOPMENT AUTHORITY  
MEETING MINUTES  
June 11, 2012**

**CALL TO ORDER**

President Huffman called the meeting to order on June 11, 2012, at 5:03 p.m.

**ROLL CALL**

The following members were present:

Blake Huffman, Emy Johnson, Gene Marsh, Terry Quigley, and Ben Withhart.

Also Present:

Tom Simonson, Assistant City Manager/Community Development Director

Kirstin Barsness, Barsness Consulting Services

**APPROVAL OF AGENDA**

Marsh moved, Johnson seconded a motion to approve the June 11, 2012 agenda as submitted.

VOTE:           Ayes – 4                      Nays – 0                      Abstain - 1 (Huffman)

Huffman abstained, as he was not present at the May 14th meeting.

**APPROVAL OF MINUTES**

Marsh moved, Johnson seconded a motion, to approve the May 14, 2012 meeting minutes, as submitted.

VOTE:           Ayes - 5                      Nays - 0

**FINANCES AND BUDGET**

**Monthly Financial Report/Approval of Claims and Purchases**

Simonson noted that home energy loan payments are being made in a timely manner, which replenishes the fund for future loans. Fund 240, the EDA operations fund, is maintaining a healthy balance. Farveh Makhssous, an intern with the City for three years, has moved to a full-time position in Eden Prairie. She did excellent work on a number of projects for the EDA relating to housing, rental licensing and code enforcement. The City will be looking for a new person to fill the intern position.

Marsh moved, seconded by Johnson, to accept the monthly EDA Financial Reports and approve the following payment of bills:

1.	Community Reinvestment Fund (Monthly Loan Service Fees - Date Paid: 5/17/12)	\$75.00	(Fund 307)
2.	Kirstin Barsness (Development Consultant) (Date Paid: 5/3/12)	\$2,362.50	(Fund 240)
3.	Deanne Allen (EDA Minutes 4/9/12) (Date Paid: 5/3/12)	\$200.00	(Fund 240)
4.	Bradley & Deike, PA (Legal Consultant) (Date Paid: 5/12/12)	\$340.00	(Fund 240)
5.	LeeAnn Chin (EDA Dinner 4/9/12) (Date Paid: 5/30/12)	\$123.69	(Fund 240)
6.	Bradley & Deike, PA (Legal Consultant) (Date Paid: 5/3/12)	\$323.00	(Fund 241)
7.	Bradley & Deike, PA (Legal Consultant) (Date Paid: 5/12/12)	\$765.00	(Fund 241)

VOTE:                      Ayes - 5                      Nays - 0

## **GENERAL BUSINESS**

### **Amendment to development Agreement with Stonehenge USA for Conditional Supplemental Tax Increment Financing Assistance**

Simonson reported that Stonehenge anticipates turning over tenant spaces of Phase 1 by mid-summer. The tenant businesses plan to open after Labor Day. Phase 2 is development with the preferred anchor. Everything remains positive waiting for execution of the final agreement.

Withhart asked if Phase 2 will meet the July 1 deadline for TIF assistance. Simonson stated that the City's counsel has stated that the City has met requirements for Phase 2 TIF assistance with the site work that has been done. The preferred anchor has asked for \$2.00/square foot less as a fair market rate to lease space. Stonehenge based its lease rate on what was paid for the property. As a result, Stonehenge has requested an additional \$200,000 in TIF assistance to offset this cost. At the last meeting there was general consensus by the Mayor and the EDA to provide additional TIF assistance. In the Development Agreement, TIF assistance for Stonehenge is from TIF No. 5. Legal counsel has advised that the additional TIF assistance cannot come from the same TIF District. Staff is recommending the additional TIF assistance from TIF District No. 1 in which there is a fund balance of over \$4 million, enough for Lakeview Terrace, if needed. The public hearing to approve the additional TIF assistance will be held at the Council meeting on June 18, 2012.

Quigley emphasized how slow negotiations are moving with the preferred anchor.

Johnson followed up by asking in what other communities the preferred anchor is located and if those communities are having the same issues with the preferred anchor as Shoreview is experiencing. Simonson explained that the company is in the process of a national needs study and is not signing contracts anywhere until the study is completed. Nothing has changed in the negotiations except for the request for additional TIF assistance.

Ms. Barsness noted that the current value on the Stonehenge sites is \$1.5 million with a current property tax of \$45,000. When development is completed, the estimated value of the sites will be \$7 million with an estimated property tax of \$189,000. The City's share of the total tax rate is 25.29%. The City will recoup its investment over 11 years. Without TIF assistance, the City's return will be \$340,000.

A motion was made by Quigley, seconded by Marsh, to recommend to the City Council approval of the First Amendment to the Development Agreement with Stonehenge USA for providing an additional \$200,000 in tax increment assistance for Phase Two of the project for the purpose of securing a preferred anchor tenant subject to the approval of the City.

VOTE:           Ayes - 5                           Nays - 0

**Proposed Development Agreement for Tax Increment Financing Support for Sinclair Redevelopment - Luther Properties**

Luther Properties, owner of the Sinclair site has entered into a purchase agreement with TCF Bank. Luther Properties has requested \$214,000 in TIF assistance for cleanup costs of the site. Mr. Foster, Attorney for Luther Properties, stated that an environmental firm was hired to do soil borings around the buried tanks. Early indications, except for spillage, are that no significant cleanup is anticipated.

Quigley asked if there is flexibility to the amount requested.

Simonson stated that the funding source for the request would be TIF District No. 5, as the City would like to spend down that fund balance under the temporary authority given to cities by the legislature, authority which expires July 1, 2012. The property owner would have to commence some construction activity prior to July 1. The Development Agreement enables the City to use the remaining TIF balance for improvements to Red Fox Road. Road improvements are estimated to be at \$500,000 or \$600,000. Some assessments are anticipated.

There would be a number of benefits granted to the City by TCF Bank in return for the TIF assistance: 1) an easement at the corner of Lexington and Red Fox Road for a monument sign that advertises businesses in the area; 2) dedication of 10 feet of right-of-way along Red Fox Road; and 3) 15 feet of right-of-way on Lexington to Ramsey County for a right turn lane onto Red Fox Road with the provision that Ramsey County allow a right turn access from that right turn lane onto the TCF site off Lexington. The sign easement would fulfill the Stonehenge's preferred anchor's request for signage on Lexington. Ramsey County does not want to give TCF Bank access off Lexington, but the County will need right-of-way for the right turn lane. The City believes there is room for negotiation. TCF is concerned that the full access from the private Target drive may not be guaranteed forever.

Quigley asked the volume of traffic turning right from Lexington onto Red Fox Road. Mr. Kruma estimated 200 cars a day with half seeking to access the TCF Bank site.

Johnson asked how additional cleanup costs would be handled if needed. Mr. Foster explained that an application would be made to the State to pay for the remaining cleanup costs beyond TIF assistance granted.

Huffman asked how any savings would be handled if cleanup costs are less than the TIF amount requested. Simonson answered that the City does not reimburse the cost until the work is completed.

A motion was made by Quigley, seconded by Johnson, to recommend to the City Council approval of the proposed Development Agreement with Luther Properties for tax increment financing assistance in the amount of \$214,210 in support of the demolition and cleanup of the Sinclair Property to facilitate a redevelopment, subject to the terms and conditions outlined.

VOTE:           Ayes - 5                      Nays - 0

### **Status Report on the Lakeview Terrace Apartments (Midland Plaza Redevelopment)**

Simonson stated that the developer is planning the same good quality of units as first proposed. TIF assistance is planned for public improvements as originally discussed, but the developer is now proposing a different method of distributing funds for development. The City identified approximately \$2+ million for public road improvements plus the County's contribution of \$812,550, an LCDA grant. The City has also received an LCDA grant for an additional \$202,450 to cover a portion of the developer's demolition costs.

The developer now proposes that the City's identified funding be split between road improvements and up-front assistance for redevelopment costs, specifically for underground parking. The loan would be repaid from 67% of the net tax increment. The difference needed to complete road improvements would be from City issued bonds. The bonds would be paid back 100% from special assessments levied on the project and would be payable over 10 years. The City would use the remaining tax increment (33%) to reimburse the developer for \$1 million of TIF eligible expenses. Reimbursements would be on a pay-as-you-go basis at an interest rate of 5.5% on the unpaid balance. However, current tax increment revenues estimated by the City would not cover full repayment of the TIF note. However, a special assessment payable by the developer would provide the funding the developer is seeking to proceed with the project.

Withhart noted that the developer had to reduce a number of units and asked if the building could be larger by moving it further east. Simonson stated that there has been discussion about taking down the first building.

Ms. Barsness explained that what the developer is proposing is to split the cost of the road and still take \$1.5 million from TIF and then assess \$1 million to pay for the road.

Marsh asked how much equity the developer has and how much cash is being put in this proposal. Ms. Barsness answered that the developer is showing \$10 million in cash. The policy question for the City is the function of TIF increment that was designed to be used for public

infrastructure. The developer is now asking to deviate from that policy and have the City provide cash up front in the amount of \$1 million.

Simonson stated that the developer argues that all improvements are funded through taxes. There is a lot of regional benefit for the \$2.9 million City investment--which includes road improvements, new housing that meets a need in Shoreview, redevelopment of a vacant retail center. Originally, the developer was planning to finance the total but now has changed.

Quigley stated that the whole project turns on the successful sellout of high end multiple units in an area that is not a high end site and in an economy that is recovering slowly.

Huffman noted that the property value was established by the county less than anticipated, the financing is changing.

Simonson stated that to get rid of the retail mall is a public benefit, Putting in upscale apartments is good. Having to put in money up-front for the development makes the City part owner of the building. If the units are not sold, how can assessments be used to pay back the City? The assessments do not cover the costs, and the TIF District eats up the costs.

There is a meeting with the developer tomorrow to continue discussion of finances. The revised site plan shows the building moved further from the lake with increased setbacks from Victoria.

## **PROJECT UPDATES/DEVELOPMENT NEWS**

### **Children's Hospital Property**

Simonson reported that a commercial broker and a representative from Children's Hospital recently met to discuss a proposal for a special education K-8 school on a portion of the 18-acre vacant property in the Rice Creek Corporate Park. Simonson said he informed them that a school was not consistent with the development covenants nor the City's vision of high end corporate office on the last large vacant parcel in the community. He said he was not sure if they would pursue the concept further. Children's indicated they have no immediate plans to develop a medical clinic. Simonson said the City may wish to consider acquisition options to retain and control the large parcel to secure for needed retention of a local business in the future. Perhaps something the EDA should discuss as part of the work plan.

### **Hed Cycling Expansion**

Simonson said he has been communicating with locally-based Hed Cycling on possible expansion. Hed Cycling is a manufacturer of world class bike wheels for racing throughout the world. A wind tunnel machine has been purchased for research and development purposes and the company plans to expand. The City has indicated that some TIF assistance would be available, especially if the company redeveloped a property on County Road E they have considered.

### **PaR Systems Expansion**

Mayor Martin received a call from the president of the robotics division at PaR Systems informing the City they will be entering into a contract to clean up the Fukushima nuclear plant in Japan. The City was asked to facilitate a meeting with Deluxe regarding the private drive between the two sites of Deluxe and the old county patrol station site to create a shared access. Staff and the chief executive officer of PaR Systems met with Deluxe Corporation officials and received positive response to PaR's potential joint use of the Deluxe service drive. PaR Systems is looking at expanding the main facility to the north and may also expand on the other parcel in the future.

### **McGuire Property**

The City staff continues to communicate with Mr. McGuire's attorney, and it now appears that Mr. McGuire will sign the purchase agreement and agreed to terms. A letter was recently sent saying that if no agreement is reached by the end of the month, the City will start condemnation proceedings. Mr. McGuire's attorney assured staff that he is confident the purchase agreement will be signed before July.

### **ADJOURNMENT**

Quigley moved a motion, seconded by Marsh, to adjourn the meeting at 6:40 p.m.

VOTE:                      Ayes - 5                      Nays - 0

# **SHOREVIEW ECONOMIC DEVELOPMENT COMMISSION**

## **Meeting Minutes**

**July 17, 2012**

### **ROLL CALL**

Chair Wing called the meeting to order at 7:35 a.m. with the following members present: Sue Denkinger, Jim Gardner, Dave Kroona, Dave Lukowitz, Gene Marsh, Ben Stephens and Jonathan Weinhalen. Commissioner Washburn was excused. Tom Simonson, Assistant City Manager/Community Development Director, and Tessia Melvin, Assistant to City Manager/Communications were also in attendance.

### **ACCEPTANCE OF AGENDA**

Commissioner Marsh, seconded by Commissioner Weinhalen, moved to accept the agenda as presented.

Vote: 8 AYES      0 NAYS

### **APPROVAL OF MINUTES**

Commissioner Kroona, seconded by Commissioner Gardner, moved to approve the minutes of May 15, 2012, as presented.

Vote: 8 AYES      0 NAYS

### **INFORMATION EXCHANGE**

Commissioner Gardner reported that the Shoreview Business Council of the Twins Cities North Chamber will reconvene in September.

Simonson reported on the Business Exchange held on Thursday, June 14. There were nearly 30 people in attendance. Simonson noted that this time the mix included a number of our larger companies including Deluxe, PaR Nuclear, Par Systems and Mead Metals.

Commissioner Wing commented that the mix was great and questioned the format for the next Business Exchange. He raised the question about bringing in a speaker. Commissioner Denkinger commented that the Commission may want to consider having a general Business Exchange and then one with a speaker.

Commissioner Wing suggested having a vision meeting with business owners to see what they like about Shoreview, issues they are having and asking them what they envision in 5 and 10 years. It would be similar to what ULI did with the housing aspect, but specifically look at businesses and development opportunities.

Commissioner Denkinger commented that she talked with a small business owner about her interaction with the city. In her experience, Denkinger commented that not surprisingly many small business owners feel it is better not to interact with the city government. It is not a reflection on the City, but more likely that they are satisfied and get concerned if the government contacts them.

## **GENERAL BUSINESS**

### **EDC Goals and Objectives**

Simonson reminded the Commission of earlier discussions with reviewing the EDC Goals and Objectives. At a previous meeting, Commissioners commented that it would be more productive to host a joint meeting with the EDA and talking about their goal and what they perceive the EDC's goal. Simonson spoke with the Council and the EDA President, Councilmember Huffman about this opportunity. All agreed that this joint meeting would be beneficial. The next available meeting would be the workshop meeting in August, but Simonson said he would need to confirm.

Commissioner Wing asked the Commission for their thoughts on Goals and Objectives. Commissioner Denkinger commented that she believed the current goals would still continue like business retention and business visits. One area she would like to discuss with the Council is tracking the information and requests that come from business visits. She summarized that at a high level the current goals look good. One area that Commissioner Denkinger raised was social media. Simonson added one idea that has surfaced was the idea of hosting a small business fair on a specific topic that may include finances, marketing or social media.

Simonson reported on a concern that has been brought up by the Planning Commission on development. In the past the EDC and Planning Commission would be more involved in the overview of business plans. With the EDA, their role has taken this over. Commissioner Wing commented that their needs to be a balance between the three groups. While it is important to keep all groups informed, not all may need to provide input or this may begin to delay projects.

Commissioner Stephens commented on the available development areas, including the park land that is located on 694 and Lexington Avenue. The property is currently owned by Ramsey County and the land is leased by a private golf course. Simonson reported that this has been discussed. Commissioner Wing commented that there are several other properties that have buildings on them, but may need to be torn down.

Simonson asked the Commission how they would like to conduct their joint meeting with the EDA. The Commission consensus was to have an agenda, but have time allotted for questions and raising other concerns.

Commissioner Wing added that the EDA focus has expanded. Simonson stated that the original goal was to have the EDC maintain the relationships and the EDA would be the funding source.

Commissioner Lukowitz added that when he began in 1993, the Commission did more tangible items like architectural plans and business development plans. He stated that then meetings dealt with tangible progress, whereas today the meetings are filled with creating ideas and less tangible items. Commissioner Marsh commented that the EDC mainly receives updates, but not making a lot of decisions. When the EDC is out doing Business Visits or Business Exchanges, the group is doing action items. Commissioner Marsh would like to see time allotted to each EDC meeting that talks about the work plan and current status on projects, work and visits. He suggested changing the meeting format to have the group do more work during meeting time. Simonson reported that the original intent was to have staff doing most of the work. Commissioner Wing added that the EDC should focus on core functions to business, which would include business retention, relationships and website resources.

Simonson stated that if we look at the core mission of EDC, many of the items that the EDC handles is not tangible (fostering and building relationships). For example the PaR Systems expansion began here with the BRE visit. Commissioner Gardner asked if the business community knows that the EDC exists. He added that an effort to communicate our vision. Commissioner Stephens added that he could get the trolley for the EDC to enter the Slice of Shoreview parade if necessary.

Commissioner Wing asked “What are the things that the EDC sees themselves doing?” The Commission responded:

1. Relationships
2. Business retention
3. Goodwill ambassadors
4. Communication
5. Networking
6. Education
7. Benchmarking with other communities about their EDC roles
8. Asking other organizations what they see as the role of the EDC
9. Service and resources

### **Project Updates**

Simonson reported that the main building of Stonehenge is completed. Now the work is with the tenants. Most of the tenants will begin business around Labor Day. There are five tenants that completely occupy the building will include: Five Guy Burgers, Chipotle, Leeann Chin, Sports Clip and Massage Retreat Spa.

Simonson reported that the Sinclair property redevelopment is being close to being finalized. There have been several issues with Ramsey County regarding the right of access. The hope is that demolition will begin in August. The City will begin Red Fox Road improvement in the spring of 2013.

Simonson reported that Hed Cycling, located off of Chatsworth, is looking to expand. They are currently talking about some minor expansion to their current building and then looking to purchase a building on Tomlin. This will create two separate buildings, but will allow them to expand their business. The owner commented that they have been approached by outside brokers, but his employees really want to stay in Shoreview.

Simonson provided an update on Mead Metals. They are looking to expand their business in the Cardigan industrial area. Mead Metals asked the City to setup a meeting with TSI and Mead Metals to talk about opportunities. The City will continue to work with TSI and Mead Metals on possible expansion opportunities.

Simonson updated the commission on TSI expansion plans. Staff met with TSI a week ago. Some information that was obtained during this meeting include:

- TSI currently has 440 employees and could increase this to 464 by the end of 2012
- TSI projects at least 550 employees at Shoreview within the next several years (they have a 4:1 ration of professional jobs versus manufacturing/other skills with an average salary of nearly \$80K for professional staff)
- TSI asked about the Rice Street improvement interchange. Unfortunately all of this is tied to MNDOT's program. They asked to host a meeting with the MNDOT officials and local businesses to discuss these concerns and talk about this project.

Their plan is to begin work in October and to be completed by the spring of 2013.

Simonson reported on PaR Systems continues to work with staff on their planned expansion of their facility at 707/655 County Road E West. They would like to begin this fall be have expansion completed by the spring of 2013. They have talked with Deluxe to share access utilizing the Deluxe private drive. Deluxe expressed a willingness to allow use of their drive for PaR Systems.

## **ADJOURNMENT**

Commissioner Marsh, seconded by Commissioner Denkinger, moved to adjourn the meeting at 8:50 a.m.

Vote: 8 AYES      0 NAYS

**SHOREVIEW PLANNING COMMISSION MEETING**  
**July 24, 2012**

**CALL TO ORDER**

Chair Solomonson called the meeting of the July 24, 2012 Shoreview Planning Commission meeting to order at 7:00 p.m.

**ROLL CALL**

The following members were present: Chair Solomonson; Commissioners, McCool, Proud, and Thompson.

Commissioner Wenner arrived late.  
Commissioners Ferrington and Schumer arrived late.

**APPROVAL OF AGENDA**

**MOTION:** by Commissioner Proud, seconded by Commissioner McCool to approve the July 24, 2012 agenda as submitted.

**VOTE:** Ayes - 4 Nays - 0

**APPROVAL OF MINUTES**

**MOTION:** by Commissioner McCool, seconded by Commissioner Proud to approve the May 22, 2012 Planning Commission minutes as submitted.

**VOTE:** Ayes - 4 Nays - 0 Abstain - 1 (Wenner)

Commissioner Wenner arrived at this time.  
Commissioner Wenner abstained, as he was not present at the May 22nd meeting.

**REPORT ON COUNCIL ACTIONS**

**Presentation by City Planner Kathleen Nordine**

The City Council approved the following items as recommended by the Planning Commission at the June 4th Council meeting,

- Amended Comprehensive Sign Plan for Target, as recommended by the Planning Commission;
- The site and building plan review for St. Odilia's preschool playground improvement; and
- The PUD for TCF to redevelop the Sinclair site on Lexington Avenue. Approval was granted pending resolution of access issues with Ramsey County off Lexington. The issues were resolved, and TCF will dedicate additional right-of-way for Lexington and Red Fox Road. The site plan was shifted south and east, which resulted in an 11.4 foot setback from Red Fox Road and an 11.2 foot setback from Lexington Avenue.

At the City Council's June 18th meeting, the Final Stage PUD was approved for TCF.

## **NEW BUSINESS**

### **FINDING: TAX INCREMENT FINANCING PLAN FOR PROPOSED DISTRICT NO. 8 IS IN COMPLIANCE WITH CITY'S COMPREHENSIVE PLAN**

#### **Presentation by City Planner Kathleen Nordine**

State law requires that the Planning Commission issue a finding that any tax increment financing district created is consistent and conforms to the general development plans of the City. A TIF plan has been submitted for the proposed Lakeview Terrace redevelopment project, 3588 Owasso Street. The Planning Commission reviewed the redevelopment plans at its April 24, 2012 meeting and recommended approval to the City Council on the following:

- Change the designated land use from Commercial (C) to High Density Residential (RH);
- Rezone the site from Retail Service (C1) and Multi-Family Residential (R3) to a Planned Unit Development (PUD);
- Create a major subdivision preliminary plat of the property for redevelopment;
- Approve PUD Development Stage for redevelopment of Midland Plaza and construction of a new 104-unit apartment building.

The City Council will consider these requests and the TIF plan at its August 20, 2012 meeting.

TIF District No. 8 includes the all public improvement areas related to the realignment of North Owasso Street, and the site of redevelopment with a six-story, 104 unit apartment building. TIF District No. 8 will be a primary funding source for the public improvements estimated to cost in the range of \$2.9 million. TIF funding will also help with developer infrastructure costs related to underground parking for the new apartment building. The project qualifies as a Redevelopment District with a maximum life of 25 years. Without the TIF assistance, the project will not move forward. Without the new apartment building development, the public road improvements will not be done.

This redevelopment plan is part of the Shoreview Housing Action Plan for participation in the Metropolitan Council's Livable Communities Program. The Metropolitan Council awarded the City \$655,000 to assist with the redevelopment.

Commissioner Solomonson asked if the Planning Commission can make a finding of conformance with the Comprehensive Plan, when the City Council has not yet approved the proposed Comprehensive Plan Amendment. City Attorney Filla stated that the Planning Commission is being asked to agree that the proposed plan is consistent with the Comprehensive Plan.

Chair Solomonson stated that he agrees with staff that this project fits with the City's Comprehensive Plan. This redevelopment will provide housing opportunities not currently available. It is a reinvestment in a blighted area, Midland Plaza.

MOTION: by Commissioner Proud, seconded by Commissioner Wenner to adopt Resolution No. 12-61 finding that the Draft Tax Increment Financing Plan for the Proposed Creation of a New Tax Increment Financing District No. 8 for Midland Plaza Redevelopment (Lakeview Terrace) conforms to the general development and redevelopment plans of the City as described in the [proposed] Comprehensive Plan.

Commissioner Proud indicated that he added the word, "proposed" Comprehensive Plan due to the advice of Counsel.

Commissioner Wenner indicated that his seconded included the added word, "proposed."

VOTE: Ayes - 5 Nays - 0

### **MISCELLANEOUS**

#### **City Council Meetings**

No planning items are on the August 6th City Council agenda. Chair Solomonson stated that he would fill in for August 20th, if needed.

#### **Workshop**

The Planning Commission held a workshop meeting immediately following this regular meeting. There will also be a workshop meeting immediately before the Planning Commission meeting on August 28, 2012, at 6:00 p.m.

Commissioner Schumer arrived at this time.

### **ADJOURNMENT**

MOTION: by Commissioner Wenner, seconded by Commissioner Thompson to adjourn the regular Planning Commission Meeting of July 24, 2012, at 7:28 p.m.

VOTE: Ayes - 6 Nays - 0

DRAFT

PARKS & RECREATION COMMISSION  
MINUTES  
AUGUST 23, 2012

**CALL TO ORDER**

Members Present: Pat Sager, Kent Peterson, Catherine Jo Healy, Linda Larson, Athrea Hedrick, Desaree Crane, Megan Frye, Charlie Oltman

Members Absent: Carol Jauch

Others Present: City Manager Terry Schwerm; Rental Coordinator Barb Burke

**ROLL CALL**

The meeting was called to order at 7:00 p.m. by Parks and Recreation co-chair Catherine Jo Healy.

**APPROVAL OF JUNE 28, 2012 MINUTES**

Peterson moved, seconded by Larson, approval of the June 28, 2012 Parks & Recreation Commission minutes. Motion was adopted 8-0.

**2013 COMMUNITY CENTER RATE ADJUSTMENTS**

Terry Schwerm distributed a revised Community Center rate schedule. Schwerm explained that staff has been increasing rates by small increments (2%-3%) each year rather than having a large increase every 2-3 years. Schwerm also stated that customer complaints about fee increases have decreased significantly by employing this method. Schwerm explained the revised schedule was necessary in order to keep rates at even dollar amounts. Schwerm also explained that our new software system allows staff to pick a specific dollar amount for the rate and the software will automatically back out the sales tax based on the sale. Schwerm also explained that it is easier to communicate rates with users and guests if the rates are shown with tax included.

Schwerm also stated that coupon book rates are set so the customer will receive one free pass with the purchase of ten in the coupon book.

Schwerm talked about rate increases for room rentals and explained there will only be a slight increase in the Shoreview Room rate for Sunday to Thursday. Burke indicated that this rate increase in the Shoreview Room is due to the level of technology the Shoreview Room has compared to other spaces. All other room rates will remain the same.

Schwerm also pointed out the Shoreview Community Center has lower fees than most of the other metro area facilities and even with the small rate increases it represents one of the best values for our customers. Also, "Twin Cities Checkbook" reviewers rated the Community Center as the top rated fitness center for best value for the money in the metro area.

Oltman asked what percentage of time the Community Room and Shoreview Room are rented. Schwerm explained that on weekends (Saturday and Sunday) the rooms are occupied 80 to 90 percent of the time. In large part this is due to Emmanuel Covenant Church which rents the entire building every Sunday. Schwerm also said that the occupancy rate of the banquet spaces was between 20 and 30 percent during the week for corporate rentals.

Peterson moved and Crane seconded to approve the rate increases and recommended the rates be sent to the City Council for approval. Motion carried 8-0

#### **UPDATE ON BUCHER PARK RENOVATION PROJECT**

Schwerm stated that he had met with Candace Amberg of Brauer and Associates and the projected costs have increased again for the Bucher Park renovation. Peterson asked if it was still feasible to bid the project this fall or would it be delayed until next year. Schwerm said that there may be some advantages to getting the project started this fall if the weather permits. However, Candace is still contacting contractors to determine what will be the best time to bid to obtain the lowest costs.

Schwerm showed the master plan and explained that there were changes to the original plan based on the cost increases. It appears that the soccer fields will be out of use for a year if they are seeded and sodding the fields, may be cost prohibitive. Schwerm said that sod is being bid as an alternate to determine if it is worth the increased cost. Oltman asked what percentage of use would be impacted if the soccer fields were not used for a year. Schwerm said that the City could operate its youth program in the fall and he had sent emails to the North Suburban Soccer Association representative but had not yet heard from them. Schwerm said that the alternate bids include: soccer field regrading, fitness stations, picnic shelter, and central plaza and pavilion. Frye asked what parts of the plan were for sure. Schwerm showed that the trail system improvements, pond upgrade, playground replacement and entry plaza were included in the initial plan and depending on bids the some of the alternate items could be added. Peterson asked if there is enough time this fall for contractors to get in and begin the project. Oltman asked if there was a chance of seeding and grading this fall and Schwerm said that there was a possibility of dormant seeding this fall if the project is bid soon.

Peterson asked if the baseball association had been contacted about subsidizing the higher netting. Schwerm said that they had not, but it is something that they could easily add in the future.

Frye asked if the City received income for use of the soccer fields. Schwerm explained that the City does not charge Shoreview based athletic associations for use of the fields. We do charge outside groups to use the facilities for tournaments but it is a very small percentage of the total usage.

#### **STAFF REPORTS**

Schwerm said that the summer programs are winding down and the concert series struggled with the extremely warm weather this summer but attendance was still high. Peterson asked what the attendance was on the extremely hot days. Schwerm said that attendance was down slightly (about 200-300) on those days but the only true "wash out" was the day it rained and even then it was estimated that there were more than 100 attendees for a concert under the pavilion.

The Friday Night Flix went well and “The Muppets” was a successful with an estimated attendance of 300 to 400. Peterson asked about security during these movies and Schwerm explained that most of the audience were young families.

Schwerm said that there is one more week of Summer Discovery. Peterson asked how the department copes with the college staff going back to school. Schwerm said that some staff people work longer hours and the University of Minnesota doesn’t start until after Labor Day which allows some staff to work until the end of the program.

Schwerm said that pool shutdown is scheduled from Sept. 4th to Sept. 21<sup>st</sup>. Schwerm said that the entire pool is being regouted, waterslide stairs are being repaired and a new filtration system and pool heater is being installed. The women’s pool locker room will have part of the floor removed to repair a sewer line which has been causing water to back up the shower area. New booths and tile are being added between the locker room doors to add seating for the Wave Café area.

Healy asked about the timeline for the Pickelball courts. Schwerm explained that it is an ongoing project that likely would be completed after Labor Day.

Oltman asked how the Slice of Shoreview was this year. Schwerm said it was the best year in many because the weather was perfect. Peterson asked if having the Rockin’ Hollywoods on Friday night increased traffic. Schwerm said that the Rockin’ Hollywoods draw a very good crowd Friday evening and the group “High and Mighty” on Saturday night also had a large crowd.

Healy said that the Farmer’s Market is going well. Schwerm said that staff is going to evaluate whether or not to move the Farmer’s Market back up to the upper level parking lot. Several Commission members said that getting in and out of the lower level lot is difficult for the Farmer’s Market and would support moving it back to the upper level parking lot.

Schwerm said that at the next meeting the Commission will review Capital Improvement Program. Frye asked if the expansion would add more in the indoor playground for toddlers. Schwerm explained that the hope was to expand the playground into the current Gym Activity Room with additional seating and more toddler play space. Schwerm said that daily admission revenue for the playground is about \$60,000 per year and it has been a great asset for the Community Center. Schwerm also stated that many more family memberships have been sold since the playground was installed.

Larson asked about the dog parks. Schwerm said there have been very few calls regarding issues and that he felt it was going well.

### **COMMISSION REPORTS**

No reports from the Commission.

### **ADJOURNMENT**

There being no further business before the Commission, Hedrick moved, seconded by Peterson, that the meeting be adjourned at 7:59 p.m.

**Minutes**  
**ENVIRONMENTAL QUALITY COMMITTEE**

**August 27th, 2012 7:00 PM**

**1. CALL TO ORDER**

- a. The meeting was called to order at approximately 7:07pm. This meeting was held at 5971 Scenic Place Shoreview, MN

**2. ROLL CALL**

- a. Members present: Tim Pratt, Dan Westerman, Lisa Shaffer-Schreiber, Len Ferrington, Mike Prouty, John Suzukida, Susan Regstorf,
- b. Members absent: Scott Halstead, Katrina Corum
- c. City staff present: Jessica Schaum

**3. APPROVAL OF AGENDA**

- a. The agenda was approved with no changes.

**4. APPROVAL OF MEETING MINUTES – July 23rd, 2012**

- a. The minutes were approved with no changes.

**5. BUSINESS**

**A. Slice of Shoreview report**

- a. Members reported that the EQC booth was popular, fun, and busy due to the location right at the entrance. The prize wheel helped to bring children to the table and get at least one question about recycling to them and their parents. Jessica reported that 2 compost bins were given away as part of the raffle. Many questions from booth visitors were about rain gardens, so in future years we should have more brochures or information on cost-sharing opportunities to pass out. Members also commented that it takes a lot of energy to be engaging and compete with the other booths.

**B. Green Community Awards**

- a. 2012 Awards Ceremony – Sept 17th City Council meeting 7:00pm – Council Chambers
  - i. All winners have received a letter from Mayor Martin and Tim inviting them to the ceremony and describing why they were chosen. Len is working on compiling pictures of each property for the powerpoint presentation that Jessica will create. Jessica will work with Communications Coordinator Cheryl to alert the press and invite others to the presentation. All EQC members are encouraged to be in the audience!
- b. 2013 Expanded Awards – progress reports
  - i. Members discussed the new document Tim created outlining the future program, Jessica will make the suggested additions/subtractions and redistribute the document. The Committee decided that this spreadsheet could be used to advertise the award in the future – to show possible examples but not be an exhaustive list. Members also discussed how to get businesses more involved, Lisa brought up the City's Business Exchange

meeting. The EQC could possibly be present at future meetings to help get the word out about possible business awards.

C. Newsletter Topics

- a. Next issue: Winter: Articles due Sept 15<sup>th</sup>. Published Late October/early November
  - i. Announce new award - Mike – move to late winter issue
  - ii. Halloween pumpkins can go to compost site - Tim (done)
  - iii. Energy - John
  - iv. Tree issues – can trim oaks, stem girdling roots, update on EAB grant - Jessica

**Late winter issue ideas:** what the City uses for salt, cross country ski trails, tree sale, shoveling snow off roofs and improper insulation/ventilation

D. Public Works Update

The Committee reviewed two development proposals scheduled for the Planning Commission meeting on August 28<sup>th</sup>, 2012.

The EQC reviewed the plans for Par Systems New Manufacturing/Warehouse Building first, dated August 23, 2012. Committee members have the following comments regarding the proposed plans:

- 1) The Committee had serious misgivings about fully assessing the impacts of storm water runoff, wetland impacts, and tree preservation/replanting due to incomplete or missing information.
- 2) The Committee suggested numerous improvements which generally may help mitigate water runoff beyond a proposed storm water pond. These improvements on site include the use of pervious pavers, adding a green roof, or using a cistern to capture water for irrigation.
- 3) The Committee was also concerned that an existing tree inventory was not included for all the trees on the site – many will be taken down to add the pond and new building but are not accounted for in the submitted plan.
- 4) Native vegetation was also suggested instead of the proposed spirea and day lilies, as well as favoring native grasses to turf grass.

The Committee also reviewed plans dated August 3, 2012 for TSI, Inc. and has the following comments regarding the plans:

- 1) The Committee felt that both Phase 1 and 2 will have significant implications for storm water management on site, and perhaps the infiltration chamber could be oversized now to account for any future additions beyond these phases. Documentation that the roof flow could be directed to drain to the underground chamber may also be ideal to help ease neighborhood concerns about flooding.
- 2) Future considerations at this stage may include sinking the parking islands to maximize infiltration on site with native shrubs, or consider a green roof for the Phase 2.

- 3) To reduce impervious surfaces needed, the Committee suggested a traffic management plan could be used to incentivize carpools, bike racks, or connect to Snail Lake trails so less parking would be needed overall.
- 4) The Committee would like to see tree protection areas for existing trees and diversity in the replanting.

E. Other

- a. Susan asked Jessica to check on a City rule about having turf grass on properties – it turns out that Shoreview does have an exemption for native plants, so not every property is required to have turf grass.

F. Adjournment

- a. The Committee adjourned at approximately 9:00pm.
- b. After adjourning, the Committee toured John's energy efficient home. Over the course of 10 years, John tracked his energy usage in both gas and electricity bills and wondered what was possible. Since then, he has installed all CFL light bulbs, replaced windows with triple pane windows, added a geothermal heat pump, and 12 solar collectors. Due to these improvements, his household energy consumption has reduced by approximately 75%! The solar collectors alone supply about one-third of his electrical energy, and if there is an excess he can sell it back to Xcel at market rate prices. John's advice to others interested in energy efficiency is to sign up for the home energy audit from Xcel to see where you can improve the efficiencies in your home.

## MOTION SHEET

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

To approve the following payment of bills as presented by the finance department.

Date	Description	Amount
08/21/12	Accounts payable	\$ 45,882.61
08/23/12	Accounts payable	\$ 160,341.59
08/27/12	Accounts payable	\$ 4,258.15
08/30/12	Accounts payable	\$ 41,510.58
09/04/12	Accounts payable	\$ 128,193.31
<b>Sub-total Accounts Payable</b>		<b>\$ 380,186.24</b>
Payroll	124416 to 124471 958358 to 958571	\$177,620.51
<b>Sub-total Payroll</b>		<b>\$ 177,620.51</b>
<b>TOTAL</b>		<b>\$ 557,806.75</b>

ROLL CALL:	AYES	NAYS
Huffman		
Quigley		
Wickstrom		
Withhart		
Martin		

09/04/12

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
ALFUTH, APRIL	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
ANDERSON, JESSICA	SLICE OF SHOREVIEW PHOTO WINNERS	270	40250	4890		002	\$75.00	\$75.00
BEISSEL, MARGARET	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
BERGENE, JOHN	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
BLAHOSKY, DEBRA	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
BLEEKER, AMY	SLICE OF SHOREVIEW PHOTO WINNERS	270	40250	4890		002	\$25.00	\$25.00
BLOMBERG, JANICE	Election Judge Payment	101	40300	1050			\$67.50	\$67.50
BOHNEN, SARAH	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
BURT, DOUGLAS	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
C & E HARDWARE	SEAL COAT PAINT SUPPLIES	404	42200	3190			\$6.42	\$6.42
CALLAGHAN, HELEN	Election Judge Payment	101	40300	1050			\$67.50	\$67.50
CALLANDER, HARLOW	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
CARLSON, GAIL	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
CARNEY, JOHN	Election Judge Payment	101	40300	1050			\$116.25	\$116.25
CARROLL, ANNE	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
CASEY, KATHLEEN	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
CHRISTENSEN, BONNIE	Election Judge Payment	101	40300	1050			\$65.63	\$65.63
CLASEMAN, ANNE	Election Judge Payment	101	40300	1050			\$157.50	\$157.50
COMPUTER EXPLORERS	COMPUTER CAMPS WEEK OF 8/13	225	43580	3170			\$4,644.00	\$4,644.00
CONNOLLY, MICHAEL	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
CRAIGMILE, DEB	SLICE OF SHOREVIEW PHOTO WINNERS	270	40250	4890		002	\$150.00	\$150.00
CRAIGMILE, VINCE	SLICE OF SHOREVIEW PHOTO WINNERS	270	40250	4890		002	\$25.00	\$25.00
CUMMINGS, DAVE	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
CUMMINGS, SUE	Election Judge Payment	101	40300	1050			\$97.50	\$97.50
CURRIER, RALPH	FACILITY REFUND	220	22040				\$50.00	\$50.00
DAHLKE, ROBERTA	Election Judge Payment	101	40300	1050			\$148.75	\$148.75
DAHLKE, WILLIAM	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
DECKER, BEVERLEY	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
DEHN, ANN	Election Judge Payment	101	40300	1050			\$157.50	\$157.50
DUFFY, DARLENE	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
DYKEMA, ELAINE	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
ECKMAN, KAREN	Election Judge Payment	101	40300	1050			\$157.50	\$157.50
EL HALAWANI, WAJHA	Election Judge Payment	101	40300	1050			\$67.50	\$67.50
ELGAARD, LEONE	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
ELLIOTT, LUCY	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
FAGERBERG, SANDRA	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
FISCHER, MARK	Election Judge Payment	101	40300	1050			\$148.75	\$148.75
FORD, HELENA	FACILITY REFUND	220	22040				\$250.00	\$250.00
FULLER, SUSAN	Election Judge Payment	101	40300	1050			\$65.63	\$65.63
GAG, JAMES	Election Judge Payment	101	40300	1050			\$63.75	\$63.75
GENESIS EMPLOYEE BENEFITS, INC	VEBA CONTRIBUTIONS: 08-10-12	101	20418				\$5,685.00	\$5,685.00
GREENHECK, TWILA	Election Judge Payment	101	40300	1050			\$65.63	\$65.63
GUNTER, BOB	Election Judge Payment	101	40300	1050			\$148.75	\$148.75
HANNA, SANDRA	Election Judge Payment	101	40300	1050			\$63.75	\$63.75
HANSEN, NANCY	Election Judge Payment	101	40300	1050			\$67.50	\$67.50
HANSON, JEAN	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
HARAM, SUSAN	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
HAYES-BURT, LISA	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
HOKKALA, GENE	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
HOKKALA, MARILYN	Election Judge Payment	101	40300	1050			\$125.63	\$125.63
HOLM, JEANNE	Election Judge Payment	101	40300	1050			\$125.63	\$125.63

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
SHIBROWSKI, DOREEN	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
SORENSEN, HELEN	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
SOYETT, MARYLAND	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
STEPKA, BEV	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
STEPKA, JOE	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
STOTTLEMYER, JEAN	Election Judge Payment	101	40300	1050			\$123.75	\$123.75
TEERLINCK, JUDITH	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
TODD, JILL	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
TROXEL, ELEANORE	Election Judge Payment	101	40300	1050			\$125.63	\$125.63
U.S. BANK	TREADMILL LEASE/ONE SOURCE FIT/AUG 2012	220	43800	3960			\$1,065.99	\$1,065.99
UNIVERSITY OF MINNESOTA	BMP CONF. ADJUSTMENT:SCHAUM/WESOLOWSKI	101	42050	4500			\$230.00	\$230.00
UPPER CUT TREE SERVICES	PRIVATE TREE REMOVAL W012-24	101	43900	3190		003	\$599.90	\$599.90
UPPER CUT TREE SERVICES	PRIVATE TREE REMOVAL W012-21	101	43900	3190		003	\$899.85	\$899.85
VISIONS INC.	FACILITY REFUND	220	22040				\$64.28	\$64.28
WEGLEITNER, BARBARA	Election Judge Payment	101	40300	1050			\$78.75	\$78.75
WENNER, GERALD	Election Judge Payment	101	40300	1050			\$127.50	\$127.50
WHEREATT, GAIL	Election Judge Payment	101	40300	1050			\$105.00	\$105.00
YALE MECHANICAL INC	POOL AIR HANDLER REPAIR	220	43800	3810		007	\$1,319.63	\$1,319.63
ZIEPER, RUTH	Election Judge Payment	101	40300	1050			\$75.00	\$75.00
Total of all invoices:								\$45,882.61

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
AMSAN BRISSMAN KENNEDY	CLEANING SUPPLIES CC	220	43800	2110			\$58.91	\$58.91
ASSOCIATION MAINTENANCE, LLC	4711 LAURA LANE	101	11700				\$139.80	\$139.80
BROWN, RAYMOND	SOFTBALL UMPIRE AUGUST 14 & 21	225	43510	3190		001	\$92.00	\$92.00
C & E HARDWARE	CROSSWALK SUPPLIES	101	42200	2180		004	\$2.35	\$2.35
C & E HARDWARE	ZIP TIES	225	43510	2170		007	\$19.27	\$19.27
CHURCH OF ST ODILIA	EROSION RED 3495 VICTORIA ST RES 12-72	101	22030				\$500.00	\$500.00
CITY OF APPLE VALLEY	SUMMER DISCOVERY FIELD TRIP	225	43535	3190		001	\$1,359.50	\$1,359.50
COMMISSIONER OF REVENUE- WH TA	WITHHOLDING TAX - PAYDATE 08-24-12	101	21720				\$10,010.79	\$10,010.79
COMMUNITY HEALTH CHARITIES - M	EMPLOYEE CONTRIBUTIONS:08-24-12	101	20420				\$103.25	\$103.25
COOPER, KYLE W.	SOFTBALL UMPIRE AUGUST 16 & 20	225	43510	3190		001	\$92.00	\$92.00
COPHER, MARK	DEFENSIVE DRIVE 8 HR	220	22040				\$4.00	\$4.00
CORBO, JAMES	SOFTBALL UMPIRE AUGUST 14,16,21	225	43510	3190		001	\$138.00	\$138.00
FLEET FARM/GE CAPITAL RETAIL B	SMALL TOOLS	701	46500	2400		001	\$28.78	\$28.78
GENESIS EMPLOYEE BENEFITS, INC	VEBA CONTRIBUTIONS:08-24-12	101	20418				\$5,685.00	\$5,685.00
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 08-24-12	101	20431				\$716.31	\$716.31
GRAINGER, INC.	REPAIR SUPPLIES CC LIGHTING	220	43800	2240		001	\$132.12	\$132.12
GRAINGER, INC.	REPAIR SUPPLIES CC LIGHTS,PAINTING	220	43800	2240		001	\$410.20	\$410.20
GRAND SLAM	SUMMER DISCOVERY FIELD TRIP	225	43535	3190		001	\$149.50	\$149.50
ICMA/VANTAGEPOINT TRANSFER-300	EMPLOYEE CONTRIBUTIONS PAYDATE: 08-24-12	101	21750				\$4,695.19	\$4,695.19
ICMA/VANTAGEPOINT TRANSFER-705	ROTH CONTRIBUTIONS:08-24-12	101	20430				\$265.00	\$265.00
JONES, MICHAEL	SOFTBALL UMPIRE AUGUST 13	225	43510	3190		001	\$46.00	\$46.00
KIDS CLUB, CENTENNIAL	PASS REFUND	220	22040				\$96.88	\$96.88
KRUPA, NANCY	ACTIVITY REFUND	220	22040				\$21.60	\$21.60
MEZCO INC	EROS & TREE RED 5239 OXFORD RES 12-72	101	22030				\$2,500.00	\$3,000.00
		101	22020				\$500.00	
MIAO, GLORIA	PASS REFUND	220	22040				\$160.00	\$160.00
MINNESOTA CHILD SUPPORT PAYMEN	PAYDATE:08-24-12	101	20435				\$217.50	
MINNESOTA ENVIRONMENTAL FUND	MN ENVIRONMENTAL EMPL CONTRIB:08-24-12	101	20420				\$27.00	\$27.00
PETERSON, BRIAN	FARMERS MARKET ENTERTAINMENT	225	43590	3174		001	\$25.00	\$25.00
PORTER, DANIEL	SOFTBALL UMPIRE AUGUST 20	225	43510	3190		001	\$46.00	\$46.00
POSTMASTER	DEPOSIT IN PERMIT IMPRINT #5606-ZONE 2	602	45550	3220			\$500.00	\$1,000.00
		601	45050	3220			\$500.00	
PUBLIC EMPLOYEES RETIREMENT AS	EMPL/EMPLOYER CONTRIBUTIONS:08-24-12	101	21740				\$27,604.65	\$27,604.65
PUBLIC EMPLOYEES RETIREMENT AS	PERA DEFINED CONTRIBUTIONS: 08-24-12	101	21740				\$243.50	\$243.50
QUANT, FREDERICK	EROSION RED 3370 CHANDLER RES 12-72	101	22030				\$1,000.00	\$1,000.00
RUGRODEN, JOHN L.	SOFTBALL UMPIRE AUGUST 16	225	43510	3190		001	\$46.00	\$46.00
SAARION, BENJAMIN	SOFTBALL UMPIRE AUGUST 14 & 21	225	43510	3190		001	\$92.00	\$92.00
SAM'S CLUB DIRECT	SUMMER DISCOVERY SNACKS/FAMILY NIGHT	225	43535	2170		004	\$439.20	\$674.50
		225	43535	2170		002	\$235.30	
SCHMID, BRIAN	SOFTBALL UMPIRE AUG 13 & 20	225	43510	3190		001	\$92.00	
SCORE SPORTS-AMERICAN SOCCER C	SOCCER BALLS	225	43510	2170		007	\$931.66	
TARGET COMMERCIAL INVOICE	SUMMER DISCOVERY ENRICHMENT SUPPLIESQ	225	43535	2170		001	\$16.05	\$16.05
TARGET COMMERCIAL INVOICE	SUMMER DISCOVERY/FRIDAY NIGHT FLICKS	225	43535	2170		002	\$49.71	\$84.47
		225	43590	2173		001	\$34.76	
THE WORKS	SUMMER DISCOVERY FIELD TRIP	225	43535	3190		001	\$831.00	
TREASURY, DEPARTMENT OF	FEDERAL WITHHOLDING TAX:08-24-12	101	21710				\$23,273.59	\$55,859.09
		101	21730				\$25,467.50	
		101	21735				\$7,118.00	
UNITED WAY - GREATER TWIN CITI	EMPLOYEE CONTRIBUTIONS:08-24-12	101	20420				\$99.00	
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNAL SHARED W/A HILL	101	42200	3610			\$38.74	\$38.74
XCEL ENERGY	ELECTRIC: SLICE OF SHOREVIEW	270	40250	3610			\$78.54	\$78.54

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
XCEL ENERGY	ELECTRIC/GAS: WELLS	601	45050	3610			\$14,924.52	\$15,111.56
		601	45050	2140			\$187.04	
XCEL ENERGY	ELECTRIC: WATER TOWERS	601	45050	3610			\$40.56	
XCEL ENERGY	ELECTRIC: TRAFFIC SIGNALS	101	42200	3610			\$556.10	\$556.10
XCEL ENERGY	ELECTRIC/GAS: COMMUNITY CENTER	220	43800	3610			\$25,812.41	\$27,408.97
		220	43800	2140			\$1,596.56	
YALE MECHANICAL INC	CHECKED POOL AIR HANDLER, BOILERS, COMPS	220	43800	3810		007	\$291.25	
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							Total of all invoices:	\$160,341.59
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## COUNCIL REPORT

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## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
HILLCREST ANIMAL HOSPITAL	SERVICES FOR JULY 2012	101	41100	3199			-\$619.50	-\$619.50
4IMPRINT	FARMERS MARKET SUPPLIES	225	43590	3174		001	\$452.73	\$452.73
ASSOCIATION, MINNESOTA LYME	FACILITY REFUND	220	22040				\$145.00	\$145.00
ASSURANT ADMINISTRATIVE OFFICE	LONG TERM DISABILITY: AUGUST 2012	101	20412				\$1,715.36	\$1,715.36
AUTOMOTIVE REFLECTIONS	INS CLAIM PC16143: UNIT 202	260	47400	4340			\$2,119.32	\$2,119.32
BACK 2 BASICS LEARNING	CAMPS FOR WEEK OF AUGUST 13	225	43580	3170			\$2,133.00	\$2,133.00
COCA COLA REFRESHMENTS	WAVE CAFE BEVERAGE FOR RESALE	220	43800	2590			\$929.95	\$929.95
DAI, SHONG TAO	TENNIS ADV BEGINNERS	220	22040				\$40.00	\$40.00
DELTA DENTAL	DENTAL COVERAGE: SEPT 2012	101	20415				\$6,788.37	\$7,001.93
		101	20411				\$213.56	
DISCOUNT SCHOOL SUPPLY	PRESCHOOL SUPPLIES	225	43555	2170			\$496.98	
ELDER-JONES	PERMIT REFUND 2012-01264	101	32500				\$100.05	\$106.30
		101	20802				\$1.25	
		101	34850				\$5.00	
FIRST STUDENT, INC	BUS TRANSPORTATION/FIELD TRIP/AUG 22	225	43535	3190		003	\$675.00	
FULLER, KRISTEN	SOCCER AGE 4-K	220	22040				\$55.00	\$55.00
GENESIS EMPLOYEE BENEFITS, INC	FLEX - MED/DEPENDENT CARE 08-31-12	101	20432				\$241.33	\$241.33
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$16.39	\$16.39
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$15.51	\$15.51
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$16.42	\$16.42
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$15.54	\$15.54
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$15.54	\$15.54
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE	220	43800	2590			\$15.51	\$15.51
GRANDMA'S BAKERY	BAKERY FOR RESALE - WAVE CAFE/LESS CRDT	220	43800	2590			\$14.90	\$14.90
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591			\$23.75	\$23.75
GRANDMA'S BAKERY	BIRTHDAY CAKES FOR RESALE	220	43800	2591			\$19.99	\$19.99
HILLCREST ANIMAL HOSPITAL	SERVICES FOR JULY 2012	101	41100	3199			\$4.50	\$4.50
IDENTITY STORES, LLC	FALL SOCCER SHIRTS	225	43510	2170		007	\$2,655.51	\$2,655.51
MARKOW, JENNIE	FACILITY REFUND	220	22040				\$50.00	\$50.00
MILES WESMAN	REFUND ON ELLIS LIFEGUARD BOOK	220	34710				\$50.00	\$50.00
MINNESOTA DEPARTMENT OF HEALTH	FOOD MANAGER LICENSE RECERTIFICATION	220	43800	4330			\$35.00	\$35.00
MOSES CHEA	REFUND ON ELLIS LIFEGUARD BOOK	220	34710				\$50.00	\$50.00
NASCO	PRESCHOOL SUPPLIES	225	43555	2170			\$101.47	\$101.47
NCPERS MINNESOTA	PERA LIFE INSURANCE: SEPTEMBER 2012	101	20413				\$240.00	\$240.00
NORTHERN ELECTRICAL CONTRACTOR	BANQUET ROOM HAND DRYERS	220	43800	3810		003	\$317.50	\$317.50
NORTHERN ELECTRICAL CONTRACTOR	REPAIR FLAG POLE LIGHTING	220	43800	3810		003	\$576.80	\$576.80
NORTHERN ELECTRICAL CONTRACTOR	REPAIR LIGHT/FITNESS CENTER DESK	220	43800	3810		003	\$120.00	\$120.00
NORTHSTAR INSPECTION SERVICE	INSPECTION SERVICES AUGUST 2012	101	44300	3190			\$487.50	\$487.50
ORIENTAL TRADING COMPANY	PRESCHOOL SUPPLIES	225	43555	2170			\$326.74	\$326.74
ORIENTAL TRADING COMPANY	PRESCHOOL SUPPLIES	225	43555	2170			\$27.99	\$27.99
S & S WORLDWIDE	PRESCHOOL PROGRAM SUPPLIES	225	43555	2170			\$47.91	\$47.91
S & S WORLDWIDE	PRESCHOOL PROGRAM SUPPLIES	225	43555	2170			\$95.52	\$95.52
SAINTS NORTH FAMILY SKATE CENT	SUMMER DISCOVERY FIELD TRIP	225	43535	3190		001	\$656.00	\$656.00
SAM'S CLUB DIRECT	MEMBERSHIP FEE RENEWALS 2012	225	43560	2170			\$30.00	\$185.00
		101	40500	4330		008	\$35.00	
		220	43800	4330			\$60.00	
		101	40200	4330		008	\$15.00	
		101	44100	4330			\$15.00	
		701	46500	4330		001	\$30.00	
SAM'S CLUB DIRECT	ANNUAL ADMINISTRATIVE FEE	225	43560	2170			\$9.10	
		101	40500	4330		008	\$4.50	

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
		220	43800	4330			\$18.20	
		101	40200	4330		008	\$4.55	
		101	44100	4330			\$4.55	
		701	46500	4330		001	\$9.10	\$50.00
SAM'S CLUB DIRECT	SUMMER DISCOVERY SNACKS	225	43535	2170		004	\$133.70	
SIDDIQUI, SEEMA	FACILITY REFUND	220	22040				\$250.00	\$250.00
SIGNATURE AQUATICS, INC	DOWN PAYMENT POOL HEATER REPLACEMENT	405	43800	3810			\$13,715.25	\$13,715.25
TARNOWSKI, KYRIA	GHOSTS & GRAVE TOUR	220	22040				\$130.00	\$130.00
TYCO INTEGRATED SECURITY LLC	RECURRING SERVICES 9/1/12-11/30/12	101	40210	3190		008	\$87.83	\$87.83
UPPER CUT TREE SERVICES	PUBLIC STUMP REMOVALS W012-25	101	43900	3190		002	\$198.63	\$198.63
VACKER, INC	EQC GREEN COMMUNITY AWARD SIGNS	101	42050	2010			\$290.70	\$290.70
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590			\$76.62	\$76.62
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590			\$880.68	\$880.68
WATSON COMPANY	BREAK ROOM SUPPLIES	101	40800	2180			\$248.98	\$248.98
WATSON COMPANY	WAVE CAFE FOOD FOR RESALE	220	43800	2590			\$1,560.06	\$1,560.06
WILS - WOMEN IN LEISURE SERVIC	WILS MEMBERSHIP BS/LY/SK/BB/JR/DF	225	43400	4500			\$150.00	\$150.00
WILSON, THELMA	FACILITY REFUND	220	22040				\$50.00	\$50.00
XCEL ENERGY	ELECTRIC/GAS: PARKS	101	43710	3610			\$1,216.46	\$1,403.50
		101	43710	2140			\$187.04	
XCEL ENERGY	ELECTRIC: LIFT STATIONS	602	45550	3610			\$611.24	

Total of all invoices: \$41,510.58

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## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
ADOLPH KIEFER	RESISTANCE TUBING FOR HAND PADDLES	225	43520	2170		002	\$67.00	
ALLEN, DEANNE	MINUTES - 8/6 CC, 7/24 PC	101	40200	3190		001	\$200.00	\$350.00
		101	44100	3190			\$150.00	
ALLEN, DEANNE	MINUTES - EDA 8/13	240	44400	3190			\$200.00	
AMERI PRIDE LINEN & APPAREL SE	UNIFORM RENTALS - MAINTENANCE CENTER	101	42200	3970			\$45.30	\$181.24
		601	45050	3970			\$45.30	
		602	45550	3970			\$45.30	
		603	45850	3970			\$22.67	
		701	46500	3970			\$22.67	
AMERICAN RED CROSS-HEALTH & SA	2 COMM CPR; 3 COMM CPR/AED/FA	225	43520	2170		001	\$119.00	\$119.00
AMERICAN RED CROSS-HEALTH & SA	15 KEY CHAINS FOR CPR CLASSES	225	43520	2170		001	\$52.12	\$52.12
ASSOCIATION FOR NONSMOKERS-MN	ANNUAL PAYMENT-TOBACCO COMPLIANCE	101	40200	3190		002	\$780.00	\$780.00
AUTO PLUS	TOOLS/PARTS FOR JETTER/LESS CREDIT	701	46500	2220		002	\$17.66	
AUTO PLUS	PROPANE	701	46500	2180		001	\$54.47	\$54.47
AUTOMATIC SYSTEMS CO, INC	SCREEN FOR WELL 7	601	45050	2280		005	\$2,699.11	\$2,950.51
		601	45050	3190		003	\$251.40	
AWARDS BY HAMMOND INC	PLAQUE-ALTENDORFER	101	40200	4890			\$111.26	\$111.26
BARSNESS, KIRSTIN	ED CONSULTING AUGUST 2012	240	44400	3190			\$481.25	\$6,300.00
		101	22020				\$5,818.75	
BAUER BUILT TIRE AND BATTERY I	TIRES FOR UNIT 501	701	46500	2230		001	\$541.56	\$541.56
BEISSWENGERS HARDWARE	HOLE SAW	603	45850	2400		001	\$30.56	\$30.56
BLACKBURN MANUFACTURING COMPAN	PAINT FOR MARKING	404	42200	3190			\$85.54	\$265.14
		601	45050	2280		001	\$179.60	
BRAKE & EQUIPMENT WAREHOUSE	BRAKE PARTS FOR UNIT 501	701	46500	2220		001	\$99.61	\$99.61
C & E HARDWARE	TAPE	601	45050	2280		001	\$17.12	\$17.12
C & E HARDWARE	ROLLER AND PAINT BRUSHES	602	45550	2282		001	\$7.12	\$7.12
C & E HARDWARE	PAINT BRUSHES	602	45550	2282		001	\$16.05	
C & E HARDWARE	CONCRETE CAULK	701	46500	2183		001	\$9.62	
C & E HARDWARE	COUPLINGS FOR CRACK SEALER	701	46500	2220		002	\$10.25	\$10.25
CDW GOVERNMENT, INC	PC REPLACEMENTS	422	40550	5800			\$1,850.30	\$1,850.30
CDW GOVERNMENT, INC	PC REPLACEMENTS	422	40550	5800			\$3,238.05	\$3,238.05
CDW GOVERNMENT, INC	MICROSOFT LICENSING	101	40550	3860		018	\$913.51	\$913.51
CDW GOVERNMENT, INC	VISIO SOFTWARE FOR HVAC SYSTEM	101	40550	2180		006	\$629.40	\$629.40
COMMERCIAL ASPHALT CO	ASPHALT FOR 2013 SEAL COAT AREA & TRAILS	101	42200	2180		002	\$9,467.07	\$9,956.18
		101	43450	2250		002	\$489.11	
DAKOTA SUPPLY GROUP	1" METERS FOR STOCK	601	45050	2510		001	\$1,966.78	\$1,966.78
DISCOUNT STEEL, INC	PIPE FOR CURB BOXES	601	45050	2280		004	\$179.55	\$179.55
DUSTY'S DRAIN CLEAINING	BILL FOR VIDEO OF SEWER LINE	602	45550	3190		002	\$200.00	\$200.00
DUSTY'S DRAIN CLEAINING	BILL FOR 5552 ALDINE	602	45550	3190		002	\$200.00	\$200.00
DUSTY'S DRAIN CLEAINING	VIDEO INSP-296 FLORAL DR CP 12-01	570	47000	5950			\$225.00	\$225.00
DUSTY'S DRAIN CLEAINING	FLORAL DR CP12-01 VIDEO SWR SERV @ 328	570	47000	5950			\$175.00	
ELECTRO WATCHMAN INC.	SECURITY MONITORING MAINTENANCE CENTER	701	46500	3196		002	\$80.00	\$80.00
ENTERTAINMENT TRANSPORTATION N	SOUND ENGINEERING SERVICES - SLICE	270	40250	3950		010	\$650.00	\$650.00
FACTORY MOTOR PARTS COMPANY	BATTERIES FOR STOCK	701	46500	2180		001	\$186.01	\$186.01
FERGUSON WATERWORKS	SEWER MARKERS	602	45550	2280		003	\$199.62	\$199.62
FLEETPRIDE	PTO SHAFT FOR UNIT 215	701	46500	2220		001	\$284.80	\$284.80
GARELICK STEEL COMPANY	SUPPLIES FOR CATCH BASIN BAFFLE	603	45850	2180		003	\$316.36	\$316.36
GOODPOINTE TECHNOLOGY INC	ROAD CONDITION SURVEY	404	42200	3190			\$3,120.00	\$3,120.00
GRAINGER, INC.	LIGHT BULBS FOR HWY 96 LANDSCAPE LIGHTS	101	43710	2240			\$103.96	\$103.96
GRAINGER, INC.	EAR PLUGS	101	43710	2240			\$72.93	\$72.93
GREENHAVEN PRINTING	FALL NEWSLETTER	101	40400	3220			\$2,636.45	\$18,705.11

## COUNCIL REPORT

Vendor Name	Description	FF	GG	OO	AA	CC	Line Amount	Invoice Amt
		101	40400	3390			\$16,068.66	
HAWKINS, INC.	FLOURIDE AND C-5	601	45050	2160		001	\$2,230.47	\$2,230.47
HDSWW EDEN PRAIRIE	METER FOR WELL 5	601	45050	2280		005	\$2,715.92	
HEWLETT-PACKARD COMPANY	LAPTOP MOUSE	101	40550	2010		001	\$13.85	\$13.85
HEWLETT-PACKARD COMPANY	REPLACE BANQUET ROOM A/V LAPTOP	422	40550	5800			\$2,144.21	
HOFFARD, THERESA	MILEAGE REIMBURSEMENT	101	40300	2180			\$14.43	\$14.43
KONRAD MATERIAL SALES LLC	CRACK SEALING MATERIAL 10 PALLETS	404	42200	3190			\$13,975.70	\$13,975.70
L T G POWER EQUIPMENT	WEEDWHIP LINE	101	43710	2240			\$64.07	\$64.07
L'ALLIER CONCRETE, INC	552 DONEGAL CIR DRIVEWAY	101	42200	3190		002	\$2,450.00	\$2,450.00
L'ALLIER CONCRETE, INC	565 SHOREVIEW PARK RD CURB & DRIVEWAY	601	45050	3190		004	\$3,500.00	\$3,500.00
L'ALLIER CONCRETE, INC	992 CO. RD I CURB & DRIVEWAY	601	45050	3190		004	\$2,450.00	\$2,450.00
LIFEFITNESS	3 LIFEFITN ELLIPTICALS REPLCMT FOR 3 OLD	220	43800	2180		001	\$7,966.00	\$7,966.00
LIFEGUARD STORE, THE	PLATFORM CENTER; EQUIPMENT STORAGE (2)	225	43520	2170		002	\$1,595.00	\$1,595.00
LINDERS GREENHOUSE *** ST. PAU	TREES FOR SOUTH TOWER	601	45050	2280		005	\$108.35	\$108.35
MAC QUEEN EQUIPMENT INC.	BELT FOR S-2 SWEEPER	701	46500	2220		002	\$281.86	\$281.86
MF ATHLETIC	FITNESS CENTER TRIFOLD MATS (5)	220	43800	2180		001	\$238.84	\$238.84
MIDWEST ASPHALT CORPORATION	COMPLETE SEAL COATING MAINTENANCE CENTER	701	46500	3196		001	\$1,000.00	\$1,000.00
MINNESOTA CITY/COUNTY MGMT ASS	DUES - 5/1/12 - 4/30/13 - SIMONSON	101	40200	4330		004	\$144.07	\$144.07
MINNESOTA CITY/COUNTY MGMT ASS	DUES - 5/1/12 - 4/30/13 - SCHWERM	101	40200	4330		004	\$163.74	\$163.74
MINNESOTA DNR	APPLICATION FEE COMMONS POND AERATION	603	45850	4890			\$250.00	\$250.00
MTI DISTRIBUTING, INC	PARTS FOR TORO 328	701	46500	2220		002	\$82.63	\$82.63
MULTICARE ASSOCIATES TWIN CITI	RESPIRATOR EVALUATIONS	101	40210	3190			\$140.00	\$140.00
NORTHERN ELECTRICAL CONTRACTOR	REPAIR LIGHTING CONTROLS HWY 96 & HWY 49	101	43710	3190			\$151.82	\$151.82
NUSS TRUCK & EQUIPMENT	PARTS FOR S-2 SWEEPER	701	46500	2220		002	\$61.81	\$61.81
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	220	43800	2010			\$4.39	\$121.57
		101	40800	2180			\$100.46	
		101	40500	2010		008	\$8.36	
		101	43400	2010			\$8.36	
OFFICE DEPOT	GENERAL OFFICE SUPPLIES	101	40200	2010		002	\$40.69	
OFFICE DEPOT	CALENDAR PLANNER	101	42050	2010			\$21.36	\$21.36
OFFICE DEPOT	CALENDARS/OFFICE SUPPLIES	101	40200	2010		002	\$39.40	\$297.48
		220	43800	2010		001	\$44.37	
		101	43400	2010			\$87.19	
		101	40500	2010		002	\$29.75	
		101	40500	2010		008	\$33.71	
		101	44100	2010			\$9.74	
		101	44300	2010			\$9.74	
		101	42050	2010			\$43.58	
OFFICE DEPOT	CALENDAR	101	40200	2010		002	\$23.72	
ON SITE SANITATION INC	BUCHER PARK UNITS	101	43710	3950			\$260.79	\$260.79
ON SITE SANITATION INC	COMMONS PARK UNITS	101	43710	3950			\$282.17	\$282.17
ON SITE SANITATION INC	LAKE JUDY PARK UNIT	101	43710	3950			\$122.91	\$122.91
ON SITE SANITATION INC	MCCULLOUGH PARK UNIT	101	43710	3950			\$91.92	\$91.92
ON SITE SANITATION INC	RICE CREEK FIELDS UNIT	101	43710	3950			\$122.91	\$122.91
ON SITE SANITATION INC	SHAMROCK PARK UNITS	101	43710	3950			\$282.17	\$282.17
ON SITE SANITATION INC	SITZER PARK UNITS	101	43710	3950			\$260.79	\$260.79
ON SITE SANITATION INC	THEISEN PARK UNIT	101	43710	3950			\$122.91	\$122.91
ON SITE SANITATION INC	WILSON PARK UNITS	101	43710	3950			\$260.79	\$260.79
ON SITE SANITATION INC	SNAIL LAKE SCHOOL UNIT	101	43710	3950			\$56.65	\$56.65
ON SITE SANITATION INC	EMMITT WILLIAMS SCHOOL UNIT	101	43710	3950			\$56.65	\$56.65
ORKIN EXTERMINATING CO., INC.	BAT CONTROL AT PICNIC SHELTERS	101	43710	3190			\$535.63	\$535.63

## COUNCIL REPORT

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# Purchase Voucher

City of Shoreview  
4600 Victoria Street North  
Shoreview MN 55126

Vendor number	10206 1
Vendor name	XCEL ENERGY
Address	PO BOX 9477 MINNEAPOLIS MN 55484-9477

THIS IS AN EARLY CHECK, PLACE VOUCHER IN EARLY CHECK FILE

Return to:

Voucher	Date	Comment line on check	Invoice number	Account coding	Amount
29,728	08-13-12	ELECTRIC/GAS: COMMUNITY CENTER	5148429483	220 43800 3610	25,812.41
				220 43800 2140	1,596.56
				VOUCHER TOTAL:	\$27,408.97
29,699	08-15-12	ELECTRIC/GAS: WELLS	5158229131	601 45050 3610	14,924.52
				601 45050 2140	187.04
				VOUCHER TOTAL:	\$15,111.56
29,725	08-13-12	ELECTRIC: TRAFFIC SIGNALS	5162326923	101 42200 3610	\$556.10
29,724	08-14-12	ELECTRIC: WATER TOWERS	5168285301	601 45050 3610	\$40.56
Total:					\$43,117.19

Is sales tax included on invoice?	Included
If no, amount subject to sales use tax	\$
Reviewed by:	<u>Debbie Engblom 8/24/12</u>
(signature required)	Debbie Engblom
Approved by:	<u>Terry Schwerm</u>
(signature required)	Terry Schwerm

**PROPOSED MOTION**

**MOVED BY COUNCILMEMBER** \_\_\_\_\_

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_

to approve the attached Application for Exempt Permit for bingo and a raffle drawing for their Community Carnival at Emmet D. Williams Elementary School on October 12, 2012.

<b>ROLL CALL:</b>	<b>AYES</b> _____	<b>NAYS</b> _____
HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: TERRI HOFFARD**  
**DEPUTY CLERK**

**DATE: AUGUST 21, 2012**

**SUBJECT: APPLICATION FOR EXEMPT PERMIT**

Emmet D. Williams Elementary PTA has filed the attached application with the State of Minnesota for a bingo and raffle event to be held on October 12, 2012 in conjunction with their first annual Community Carnival.

State gambling regulations specify that such requests may be approved by the state unless the local unit of government passes a resolution prohibiting the activity. Similar requests have been reviewed and approved by the Shoreview City Council in the past.

Staff recommends that the City Council approve this Application for Exempt Permit.

**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:  
 - conducts lawful gambling on five or fewer days, and  
 - awards less than \$50,000 in prizes during a calendar year.  
 If total prize value for the year will be \$1,500 or less, contact the licensing specialist assigned to your county.

**Application fee**

If application posted or received:

less than 30 days  
before the event**\$100**more than 30 days  
before the event**\$50****ORGANIZATION INFORMATION**

Organization name

PTA Shoreview Emmet D. Williams

Previous gambling permit number

X-06682-12-001

Minnesota tax ID number, if any

E S 32706

Federal employer ID number (FEIN), if any

416044898

**Type of nonprofit organization. Check one.**

Fraternal



Religious



Veterans



Other nonprofit organization

Mailing address

955 W County Road D

City

Shoreview

State

MN

Zip code

55126

County

Ramsey

Name of chief executive officer [CEO]

Curtis Johnson

Daytime phone number

651-983-0515

E-mail address

CURTISAJOHNSON@Hotmail.com

**NONPROFIT STATUS**

Attach a copy of ONE of the following for proof of nonprofit status.

**Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**

Don't have a copy? This certificate must be obtained each year from:

Secretary of State, Business Services Div., 60 Empire Drive, Suite 100, St. Paul, MN 55103

Phone: 651-296-2803

**IRS income tax exemption [501(c)] letter in your organization's name.**

Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.

**IRS - Affiliate of national, statewide, or international parent nonprofit organization [charter]**If your organization falls under a parent organization, attach copies of **both** of the following:

- IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
- the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted. For raffles, list the site where the drawing will take place.  
 Emmet D. Williams Elementary School

Address [do not use PO box]

955 W County Road D

City or township

Shoreview

Zip code

55126

County

Ramsey

Date[s] of activity. For raffles, indicate the date of the drawing.

10/12/2012 - 10/12/2012

Check each type of gambling activity that your organization will conduct.

☒

Bingo\*

☒

Raffle

☐

Paddlewheels\*

☐

Pull-tabs\*

☐

Tipboards\*

**\*Gambling equipment** for bingo paper, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

To find a licensed distributor, go to [www.gcb.state.mn.us](http://www.gcb.state.mn.us) and click on **Distributors** under the **WHO'S WHO? LIST OF LICENSEES**, or call 651-639-4000.

# LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

## CITY APPROVAL for a gambling premises located within city limits

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days [60 days for a 1st class city].
- ☐ The application is denied.

Print city name \_\_\_\_\_

Signature of city personnel \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**Local unit of government must sign**

## COUNTY APPROVAL for a gambling premises located in a township

- ☐ The application is acknowledged with no waiting period.
- ☐ The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
- ☐ The application is denied.

Print county name \_\_\_\_\_

Signature of county personnel \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

**TOWNSHIP -If required by county.** On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within the township limits.

[A township has no statutory authority to approve or deny an application, per Minnesota Statutes 349.166.]

Print township name \_\_\_\_\_

Signature of township officer \_\_\_\_\_

Title \_\_\_\_\_ Date \_\_\_\_\_

## CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the event date.

Chief executive officer's signature \_\_\_\_\_

Date 8/15/2012

Print name Curtis Johnson

**Print form and have CEO sign**

## REQUIREMENTS

**Reset form**

### Complete a separate application for:

- all gambling conducted on two or more consecutive days, or
  - all gambling conducted on one day.
- Only one application is required if one or more raffle drawings are conducted on the same day.

### Send application with:

- ☐ a copy of your proof of nonprofit status, and
- ☐ application fee. Make check payable to "State of Minnesota."

**To:** Gambling Control Board  
1711 West County Road B, Suite 300 South  
Roseville, MN 55113

### Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at [www.gcb.state.mn.us](http://www.gcb.state.mn.us).

Within 30 days of the event date, complete and return the financial report form to the Gambling Control Board.

### Questions?

Call the Licensing Section of the Gambling Control Board at 651-639-4000.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If your organization supplies the information requested, the Board will be able to process the application. Your organization's name and address will be public information when received by the Board.

All other information provided will be private data about your organization until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data about your organization are available to: Board members, Board staff whose work requires access to the information; Minnesota's Department of Public Safety; Attorney

General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this notice was given; and anyone with your written consent.

PROPOSED MOTION

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

to approve Resolution No. 12-75 reducing the following escrows:

Erosion Control and Development Cash Deposits for the following properties  
in the amounts listed:

515 Gramsie Rd	David Piche	\$ 500.00
5230 Oxford St	MEZCO Inc	\$ 1,000.00
425 Snail Lake Rd	All Poolside	\$ 1,000.00
800 County Road I	Neutgens Excavating/Alan Woldt	\$ 1,000.00

**ROLL CALL:**    **AYES**\_\_\_\_ **NAYS**\_\_\_\_

HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING  
SEPTEMBER 4, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER

FROM: THOMAS L. HAMMITT  
SENIOR ENGINEERING TECHNICIAN

DATE: AUGUST 28, 2012

SUBJECT: DEVELOPER ESCROW REDUCTIONS

### INTRODUCTION

The following escrow reductions have been prepared and are presented to the City Council for approval.

### BACKGROUND

The property owners/builders listed below have completed all or portions of the erosion control and turf establishment, landscaping or other construction in the right of way as required in the development contracts or building permits.

515 Gramsie Rd	Erosion Control completed
5230 Oxford St	Grading Certificate completed
425 Snail Lake Rd	Erosion Control completed
800 County Rd I	House Demo Erosion Control completed

### RECOMMENDATION

It is recommended that the City Council approve releasing all or portions of the escrows for the following properties in the amounts listed below:

515 Gramsie Rd	David Piche	\$ 500.00
5230 Oxford St	MEZCO Inc	\$ 1,000.00
425 Snail Lake Rd	All Poolside	\$ 1,000.00
800 County Road I	Neutgens Excavating/Alan Woldt	\$ 1,000.00

**\*PROPOSED\***

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA**

**HELD SEPTEMBER 4, 2012**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City on September 4, 2012 at 7:00 p.m. The following members were present:

and the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 12-75**

**RESOLUTION ORDERING ESCROW REDUCTIONS  
AT VARIOUS LOCATIONS IN THE CITY**

WHEREAS, various builders and developers have submitted cash escrows for erosion control, grading certificates, landscaping and other improvements, and

WHEREAS, City staff have reviewed the sites and developments and is recommending the escrows be returned.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shoreview, Minnesota, as follows:

The Shoreview Finance Department is authorized to reduce the cash deposit in the amounts listed below:

515 Gramsie Rd	David Piche	\$ 500.00
5230 Oxford St	MEZCO Inc	\$ 1,000.00
425 Snail Lake Rd	All Poolside	\$ 1,000.00
800 County Road I	Neutgens Excavating/Alan Woldt	\$ 1,000.00

The motion for the adoption of the foregoing resolution was duly seconded by Member and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

WHEREUPON, said resolution was declared duly passed and adopted this 4<sup>th</sup> day of September, 2012.

STATE OF MINNESOTA )  
 )  
COUNTY OF RAMSEY )  
 )  
CITY OF SHOREVIEW )

I, the undersigned, being the duly qualified and acting Manager of the City of Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a meeting of said City Council held on the 4<sup>th</sup> day of September, 2012 with the original thereof on file in my office and the same is a full, true and complete transcript therefrom insofar as the same relates reducing various escrows.

WITNESS MY HAND officially as such Manager and the corporate seal of the City of Shoreview, Minnesota, this 5<sup>th</sup> day of September, 2012.

---

Terry C. Schwerm  
City Manager

SEAL

PROPOSED MOTION

MOVED BY COUNCILMEMBER \_\_\_\_\_

SECONDED BY COUNCILMEMBER \_\_\_\_\_

to adopt Resolution No. 12-76 approving Contractor Payment No.2 (Final),  
in the amount of \$ 13,726.58 for the 2012 Street Seal Coat, Project 12-05.

ROLL CALL:    AYES    \_\_\_\_\_ NAYS \_\_\_\_\_

HUFFMAN	_____	_____
QUIGLEY	_____	_____
WICKSTROM	_____	_____
WITHHART	_____	_____
MARTIN	_____	_____

REGULAR COUNCIL MEETING  
SEPTEMBER 4, 2012

TO: MAYOR, CITY COUNCIL, CITY MANAGER

FROM: THOMAS L. HAMMITT  
SENIOR ENGINEERING TECHNICIAN

DATE: AUGUST 27, 2012

SUBJECT: 2012 STREET SEAL COAT  
CONTRACTOR PAYMENT NO. 2 (FINAL)

### INTRODUCTION

Contractor Payment No. 2 (Final), has been prepared by staff and is presented to the City Council.

### BACKGROUND

On June 18, 2012, the City of Shoreview entered into a contract with Pearson Bros. Inc., in the amount of \$ 284,025.53, for seal coating City streets. Based on final quantities, the amount of work completed was \$274,531.65. The Contractor Payment No. 2 (Final), including the retainage, is in the amount of \$13,726.58. All inspections and punch list items have been completed and have shown the work to be acceptable.

### RECOMMENDATION

It is recommended that Council approve the attached proposed resolution for Contractor Payment No. 2 (Final) for the 2012 Street Seal Coat Project 12-05.

tlh

#12-05

t:/projects/seal coat/2012/council/paymt2final12

## APPLICATION FOR PAYMENT

NO. 2 - FINAL

PROJECT: 2012 STREET SEAL COATING

OWNER: CITY OF SHOREVIEW

PROJECT NO: PROJECT 12-05

CONTRACTOR: PEARSON BROS INC.

APPLICATION DATE: 8/27/12 FOR PERIOD ENDING: 8/27/12

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### STATEMENT OF WORK

ORIGINAL CONTRACT AMOUNT	<u>\$ 284,025.53</u>
NET CHANGE BY CHANGE ORDER	<u>\$ 0.00</u>
CONTRACT AMOUNT TO DATE	<u>\$ 284,025.53</u>
TOTAL AMOUNT OF WORK COMPLETED TO DATE	<u>\$ 274,531.65</u>
LESS 0% RETAINAGE	<u>\$ 0.00</u>
AMOUNT DUE TO DATE	<u>\$ 274,531.65</u>
LESS PREVIOUS PAYMENTS	<u>\$ 260,805.07</u>
PAYMENT DUE THIS APPLICATION	<u>\$ 13,726.58</u>

APPLICATION FOR PAYMENT

Page Two

I hereby certify that all items and amounts shown are correct for the work completed to date.

CONTRACTOR: PEARSON BROS INC

BY: \_\_\_\_\_  
(Name and Title)

DATE: \_\_\_\_\_

APPROVED FOR PAYMENT:

OWNER: CITY OF SHOREVIEW

BY:  \_\_\_\_\_  
Mark Maloney (Director of Public Works)

DATE: 08/27/12

**2012 STREET SEAL COAT  
PROJECT 12-05  
Application for Payment No.2**

**SEAL COATING**

**CITY STREETS**

Item No.	Item Description	Unit	Quantity	Unit Price	Extension
1.	FA-2 Class A 1/8" Traprock	Ton	2325	\$ 54.89	\$127,619.25
2.	CRS-Cationic Emulsion	Gal	49,460	\$ 2.94	<u>\$145,412.40</u>
<b>SUBTOTAL</b>					<b>\$273,031.65</b>

**TRAFFIC SIGNS**

Item No.	Item Description	Unit	Quantity	Unit Price	Extension
1.	Traffic Control	Sign	25	\$ 60.00	\$ 1,500.00
<b>SUBTOTAL</b>					<b>\$ 1,500.00</b>

**TOTAL SEAL COATING            \$274,531.65**

**\*PROPOSED\***

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA**

**HELD SEPTEMBER 4, 2012**

\* \* \* \* \*

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota was duly called and held at the Shoreview City Hall in said City on September 4, 2012, at 7:00 p.m. The following members were present:

and the following members were absent:

Member introduced the following resolution and moved its adoption.

**RESOLUTION NO. 12-76  
APPROVING FINAL PAYMENT  
2012 STREET SEAL COAT  
PROJECT 12-05**

WHEREAS, on June 18, 2012, a contract was awarded to Pearson Bros. Inc., in the amount of \$284,025.16, for the 2012 Street Seal Coat Project, and,

WHEREAS, the contractor, Pearson Bros. Inc., has completed all work on the project in the amount of \$ 274,531.65 and is now requesting final payment, in the amount of \$ 13,726.58, and

WHEREAS, visual inspections have been completed and have shown the work to be acceptable, and

WHEREAS, the Director of Public Works has recommended approval of the Contractor Payment No.2 (Final).

NOW, THEREFORE, BE IT RESOLVED by the City Council of Shoreview, Minnesota:

That Contractor Payment No. 2 (Final), in the amount of \$ 13,726.58, for the 2012 Street Seal Coat Project 12-05 is hereby approved.

The motion for the adoption of the foregoing resolution was duly seconded by  
Member                      and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

WHEREUPON, said resolution was declared duly passed and adopted this 4<sup>th</sup> day  
of September, 2012.

STATE OF MINNESOTA    )  
  )  
COUNTY OF RAMSEY     )  
  )  
CITY OF SHOREVIEW      )

I, the undersigned, being the duly qualified and acting Manager of the City of  
Shoreview of Ramsey County, Minnesota, do hereby certify that I have carefully compared  
the attached and foregoing extract of minutes of a meeting of said City Council held on the  
4<sup>th</sup> day of September, 2012, with the original thereof on file in my office and the same is a  
full, true and complete transcript herefrom insofar as the same relates to the approval of  
Contractor Payment No.2 (Final) for the 2012 Street Seal Coating Project 12-05.

WITNESS MY HAND officially as such Manager and the corporate seal of the City  
of Shoreview, Minnesota, this 5<sup>th</sup> day of September, 2012.

---

Terry C. Schwerm  
City Manager

SEAL

## PROPOSED MOTION

**MOVED BY COUNCILMEMBER** \_\_\_\_\_

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_

To approve Ordinance No. 897 adopting Exhibit D, Community Center Rate Schedule.

ROLL CALL:	AYES	_____	NAYS	_____
	HUFFMAN	_____		_____
	QUIGLEY	_____		_____
	WICKSTROM	_____		_____
	WITHHART	_____		_____
	MARTIN	_____		_____

Regular Council Meeting  
September 4, 2012

**TO: MAYOR AND CITY COUNCIL**

**FROM: MICHELLE MAJKOZAK**  
**COMMUNITY CENTER GENERAL MANAGER**

**DATE: AUGUST 30, 2012**

**SUBJECT: COMMUNITY CENTER RATE ADJUSTMENTS**

### **INTRODUCTION**

All Community Center daily admission, membership and meeting room rates are adopted by ordinance by the City Council. The City Council is being asked to adopt the rates for 2013.

### **BACKGROUND**

The City Council approves the daily admission and membership rates for the Community Center and indoor playground. The Council also approves rates for the banquet rooms (Shoreview Room and Richard Wedell Community Room) and meeting rooms in the Center.

The Community Center has several membership categories including regular and resident pre-paid annual and seasonal memberships as well as and monthly billing memberships. These rates include the membership categories for adults, youth/seniors, dual (two people living at the same address), and families. During the past several years the number of health insurance reimbursement plans and flexible membership options has continued to increase. These programs make the cost of a Community Center membership even more affordable. During the past year, the Community Center has also added the Silver Sneakers program which provides a free membership and reimburses the City based on the number of visits by seniors during the month. These annual and monthly membership rates are critical to the Community Center's revenue stream since they now bring in more than one million dollars per year.

Daily admission rates for the Community Center and the Tropical Adventure Indoor Playground are also important since they bring in more than \$500,000 per year in annual revenue. Banquet and meeting room rentals are the third largest revenue source for the Community Center.

Staff is proposing that all Community Center membership and daily admission rates increase by approximately 2-2.5%. We have rounded off each of the prepaid membership rates to the nearest dollar and monthly membership rates to the nearest \$0.10. The daily admission rates increase between 2% - 3.7% are rounded to the closest \$0.25. All of the membership and daily admission rates are listed with sales tax included. The attached chart shows the current 2012 rates and proposed 2013 rates. Staff is not

suggesting a change to the indoor playground rate at this time, since it maintains the playground only daily admission at an even \$5.00. The Coupon Book rates are set at a rate that provides one free admission as part of the purchase of 10 daily admissions.

Staff is proposing only one rate adjustment to the banquet room and meeting room rates for 2013. The suggested rate change is increasing the Sunday-Thursday rate for the Shoreview Room by \$30 for both the regular and Shoreview Resident rates. This would increase the regular rental rate from \$595 to \$625 and the Shoreview resident rental rates from \$520 to \$550.

### **RECOMMENDATION**

These proposed rate adjustments will go into effect January 1, 2013. The proposed rate adjustments are reasonable and will maintain Shoreview Community Center's reputation as an affordable, high quality Community Center, which is critically important in the current economy. As noted earlier, the Community Center has had a philosophy of adjusting rates on an annual basis by smaller incremental percentages (2%-4% range) rather than increasing rates by 10% or more every few years. These increases have been incorporated into the revenue projections for the proposed 2013 Community Center budget. It is important to adopt the increases at this time so they can be included in the upcoming ShoreViews newsletter. Based on the foregoing information, it is recommended that the City Council approve Ordinance No. 897 adopting Exhibit D, Community Center Rate Schedule.



Rate Type			2012 Rate				2013 Rate				
			Shoreview Price	Sales Tax	Total Price	Shoreview Price	Sales Tax	Total Price			
Daily		adult	8.63	0.61	9.24	8.87	0.63	9.50			2.8%
Daily	resident	adult	7.23	0.52	7.75	7.47	0.53	8.00			3.2%
Daily		youth/senior	7.70	0.55	8.25	7.93	0.57	8.50			3.0%
Daily	resident	youth/senior	6.30	0.45	6.75	6.53	0.47	7.00			3.7%
Daily		family	30.34	2.16	32.50	31.27	2.23	33.50			3.1%
Daily	resident	family	24.27	1.73	26.00	24.74	1.76	26.50			1.9%
Indoor playground			4.67	0.33	5.00	4.67	0.33	5.00			0.0%
Coupon book		adult	77.50	5.52	83.02	79.81	5.69	85.50			3.0%
Coupon book	resident	adult	65.00	4.63	69.63	67.21	4.79	72.00			3.4%
Coupon book		senior	69.25	4.93	74.18	71.41	5.09	76.50			3.1%
Coupon book	resident	senior	56.50	4.03	60.53	58.81	4.19	63.00			4.1%
Coupon book		playground	42.00	2.99	44.99	42.01	2.99	45.00			0.0%
Track (senior)			3.97	0.28	4.25	4.06	0.29	4.35			2.4%
Track (senior)	resident		3.03	0.22	3.25	3.13	0.22	3.35			3.1%
Track (senior)		10-visit	32.00	2.28	34.28	33.61	2.39	36.00			5.0%
Track (senior)	resident	10-visit	25.00	1.78	26.78	26.14	1.86	28.00			4.6%

**STATE OF MINNESOTA  
COUNTY OF RAMSEY  
CITY OF SHOREVIEW**

**ORDINANCE NO. 897**

**AN ORDINANCE DETERMINING A COMMUNITY CENTER RATE  
SCHEDULE**

THE CITY COUNCIL OF THE CITY OF SHOREVIEW ORDAINS:

Pursuant to Minnesota Law and the Shoreview City Code, a fee schedule for Community Center fees is hereby adopted.

**Community Center Fee Schedule**

- (a) The Code of the City of Shoreview establishes that certain rates and fees be set from time to time by the Shoreview City Council.
- (b) City staff has reviewed the Community Center rate schedule and is hereby recommending that Exhibit D be adopted.
- (c) Upon consideration and review of the Shoreview City Council, the Community Center Rate Schedule, hereto attached as Exhibit D, is hereby adopted.

**Adoption Date:** Passed by the City Council of the City of Shoreview on the 4<sup>th</sup> day of September, 2012.

\_\_\_\_\_  
Sandra C. Martin, Mayor

**Publication Date:** Published on the \_\_\_\_ day of \_\_\_\_\_, 2012.

**EXHIBIT D**  
**COMMUNITY CENTER RATE SCHEDULE**  
**CITY OF SHOREVIEW, MINNESOTA**

**Daily Admission**

Adult-Regular	\$ 9.50
Adult-Resident	\$ 8.00
Youth/Senior-Regular	\$ 8.50
Youth/Senior-Resident	\$ 7.00
Family-Regular	\$ 33.50
Family-Resident	\$ 26.50
Indoor Playground Only	\$ 5.00

**Coupon Books – 10 Visits**

Adult-Regular	\$ 85.50
Adult-Resident	\$ 72.00
Youth/Senior-Reg	\$ 76.50
Youth/Senior-Resident	\$ 63.00
Indoor Playground	\$ 45.00

**Track (Senior)**

Daily-Regular	\$ 4.35
Daily-Resident	\$ 3.35
10 Visit-Regular	\$ 36.00
10 Visit-Resident	\$ 28.00

**Annual Memberships**

Adult-Regular	\$432.00
Adult-Resident	\$335.00
Youth/Senior-Regular	\$345.00
Youth/Senior-Resident	\$274.00
Dual-Regular	\$645.00
Dual-Resident	\$515.00
Family-Regular	\$734.00
Family-Resident	\$580.00

**Seasonal Memberships – 3 months**

Adult-Regular	\$186.00
Adult-Resident	\$142.00

Youth/Senior-Regular	\$142.00
Youth/Senior-Resident	\$115.00
Dual-Regular	\$263.00
Dual-Resident	\$208.00
Family-Regular	\$285.00
Family-Resident	\$230.00

**Monthly Membership Rates (requires 1 year contract)**

Adult-Regular	\$40.50
Adult-Resident	\$32.80
Youth/Senior-Regular	\$35.00
Youth/Senior-Resident	\$27.40
Dual-Regular	\$58.00
Dual-Resident	\$49.30
Family-Regular	\$66.70
Family-Resident	\$54.70

All above rates include sales tax

**\*Meeting Rooms**

Resident	\$30.00
Non Resident	\$45.00

**\*Island Lake Conference Room**

Resident	\$50.00
Non Resident	\$65.00

**\*Banquet Rooms**

**Current Rate**

**Kitchen Fee**

**Community Room**

Resident	\$320.00-\$740.00
Non Resident	\$395.00-\$845.00

\$100.00 for events with up  
100 guests /\$200 for over  
100 people

**Shoreview Room**

Resident	\$550.00-\$1,060.00
Non Resident	\$625.00-\$1,160.00

\$100.00 for events with  
100 guests/\$200 for over 100  
People

\*Does not include sales tax

**PROPOSED MOTIONS**

Moved by Council member \_\_\_\_\_

Seconded by Council member \_\_\_\_\_

To adopt resolution number 12-78 establishing a preliminary City tax levy of \$9,604,567, and a preliminary HRA tax levy of \$75,000 for collection in 2013.

ROLL CALL:	AYES	NAYS
Huffman	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

---

Moved by Council member \_\_\_\_\_

Seconded by Council member \_\_\_\_\_

To set a public budget hearing for Monday, December 3, 2012 at 7:00 p.m. to discuss the 2013 City budget, tax levy and capital improvement program.

ROLL CALL:	AYES	NAYS
Huffman	_____	_____
Quigley	_____	_____
Wickstrom	_____	_____
Withhart	_____	_____
Martin	_____	_____

Jeanne A. Haapala  
Finance Director  
September 4, 2012  
Council Meeting

TO: Mayor and City Council

FROM: Terry C. Schwerm, City Manager  
Jeanne A. Haapala, Finance Director

DATE: August 22, 2012

RE: 2013 Budget and Preliminary Tax Levy

This report provides information about the truth in taxation process, the recommended preliminary 2013 tax levy, residential property values and the estimated change in residential property taxes.

### **TRUTH IN TAXATION REQUIREMENTS**

For taxes payable in 2013, the State “truth in taxation” (TNT) process is essentially unchanged. The City is required to:

- Certify a preliminary tax levy and public hearing date to the County by September 15
- Announce the date and time for the budget hearing during the Council meeting when the preliminary levy is adopted (a motion is provided for this requirement)
- Hold a public budget hearing at a regularly scheduled Council meeting between November 25 and December 26
- Certify a final tax levy to the County by December 28

Although the City is not required to publish a notice for the budget hearing, Shoreview has continued the practice of publishing a notice for the budget hearing (using a format loosely patterned after the old required TNT notices). Staff recommends publishing a similar notice for the 2013 budget.

### **EDA LEVY**

For 2013, the Economic Development Authority (EDA) recommended that the City Council adopt a \$75,000 tax levy for the HRA and a \$60,000 tax levy for the EDA. These levies are included in the attached preliminary levy resolution. Because the HRA levy is considered a special taxing district, the HRA levy is separated from all other levies in the resolution. It is not necessary for the EDA to hold a public budget hearing for their proposed levies, because it is exempt from the public hearing requirement under the Truth in Taxation law.

## PRELIMINARY TAX LEVY

The table below provides information about the 2012 adopted levy, the 2013 levy as originally planned in the biennial budget, and as revised by the City Manager's recommendation. When reviewing the areas impacting the total levy (as shown in the column at the far right-hand side of the table), it is interesting to note that the portion of the levy supporting City services (including the tax supported share of staff costs) causes a 1.86% increase in the tax levy. The remaining 1.53% increase in the levy is the result of debt, capital replacement funds, capital improvement funds, the EDA and HRA. The modest increase in the General Fund share of the levy is due primarily to the increase in police and fire contract costs (\$161,181 expense increase for the two contracts combined).

Description	2012 Adopted Levy	2013 Original Two-Year Budget	2013 Recommended Levy	Change Over 2012 Adopted Levy		Impact on Total Levy *
				Dollars	Percent	
General fund (excluding MVHC)	\$ 6,467,060	\$ 6,717,037	\$ 6,639,567	\$ 172,507	2.67%	1.86%
EDA	55,000	60,000	60,000	5,000	9.09%	0.05%
Debt (including Cent Garage)	658,026	685,000	685,000	26,974	4.10%	0.29%
Street Renewal fund	800,000	850,000	850,000	50,000	6.25%	0.54%
General Fixed Asset Repl fund	1,200,000	1,250,000	1,250,000	50,000	4.17%	0.54%
Capital Improvement fund	110,000	120,000	120,000	10,000	9.09%	0.11%
<b>Total City Levy</b>	<b>\$ 9,290,086</b>	<b>\$ 9,682,037</b>	<b>\$ 9,604,567</b>	<b>\$ 314,481</b>	<b>3.39%</b>	<b>3.39%</b>
HRA tax levy	\$ 70,000	\$ 75,000	\$ 75,000	\$ 5,000	7.14%	
Taxable value (estim for 2013)	\$ 25,417,572	\$ 23,726,394	\$ 23,726,394	\$ (1,691,178)	-6.65%	
City tax rate (estim for 2013)	33.252%	37.246%	36.919%	3.667%	11.03%	
HRA tax rate (estim for 2013)	0.254%	0.289%	0.289%	0.035%	13.78%	
Fiscal disparity (estim for 2013)	\$ 838,214	\$ 845,000	\$ 845,000	\$ 6,786	0.81%	
Net tax paid by property owners	\$ 8,451,872	\$ 8,837,037	\$ 8,759,567	\$ 307,695	3.64%	
<b>Change in Tax Paid by Prop Owners</b>	<b>-0.32%</b>	<b>4.56%</b>	<b>3.64%</b>			
* Percent change in this column is computed as the impact on the "Total City Levy"						

It should be noted that the proposed 2013 preliminary tax levy as shown in the table above is \$77,470 lower than adopted as part of the biennial budget for 2013. The reduction is based on changes recommended by staff over the last two months. No additional changes have been made to the proposed preliminary tax levy since the Council discussion on August 13.

The recommended tax levy, for this biennial budget, represents a two-year increase of 2.77% (from the 2011 adopted levy to the recommended levy for 2013). This is less than 1.4% per year.

Information released by Ramsey County this week indicates that total taxable value is expected to drop 6.65% for taxes payable in 2013. The change in the tax levy combined with the drop in taxable value results in an estimated 11% increase in the City's tax rate.

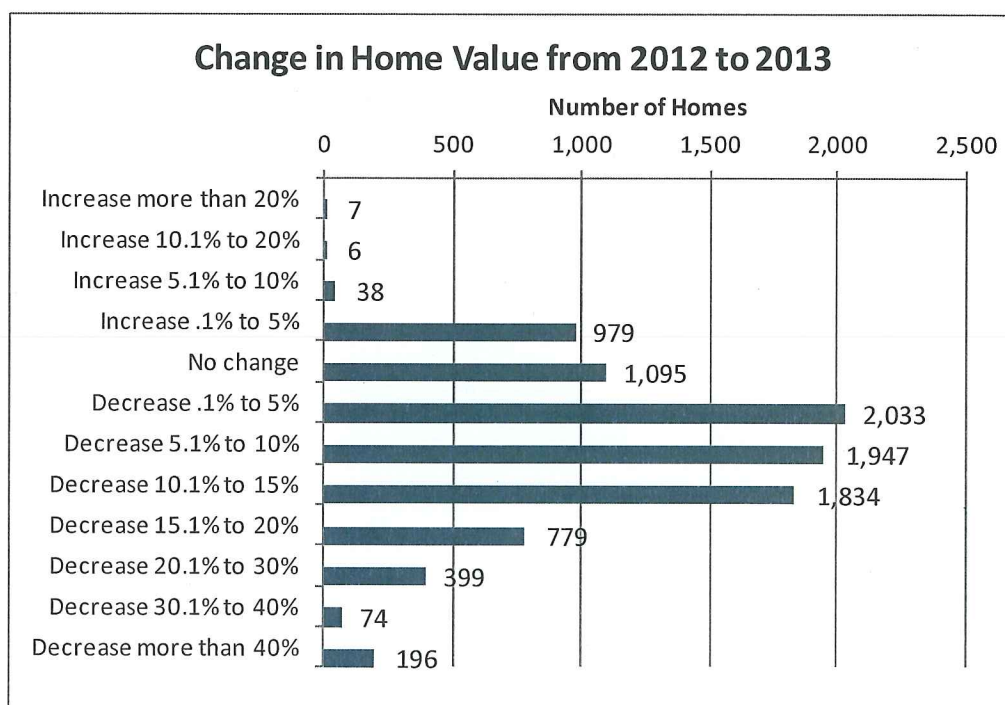
## RESIDENTIAL PROPERTY VALUES

According to information provided by the Ramsey County Assessor, the median home value in Shoreview will decrease from \$235,700 for 2012 taxes, to \$222,200 for 2013 taxes (a 5.7% drop in value). The table at right shows the change in Shoreview's median single family home value since 2004.

Year	Median Home Value	Percent Change
2004	\$ 207,500	13.6%
2005	\$ 236,250	13.9%
2006	\$ 265,050	12.2%
2007	\$ 279,900	5.6%
2008	\$ 286,600	2.4%
2009	\$ 275,600	-3.8%
2010	\$ 262,200	-4.9%
2011	\$ 249,350	-4.9%
2012	\$ 235,700	-5.5%
2013	\$ 222,200	-5.7%

Change in home values (all residential)			
	Number of Parcels	Percent Change	Number of Parcels
Increase more than 20%	7	0.1%	
Increase 10.1% to 20%	6	0.1%	
Increase 5.1% to 10%	38	0.4%	
Increase .1% to 5%	979	10.4%	1,030
No change	1,095	11.7%	1,095
Decrease .1% to 5%	2,033	21.7%	
Decrease 5.1% to 10%	1,947	20.7%	
Decrease 10.1% to 15%	1,834	19.5%	
Decrease 15.1% to 20%	779	8.3%	
Decrease 20.1% to 30%	399	4.3%	
Decrease 30.1% to 40%	74	0.8%	
Decrease more than 40%	196	2.1%	7,262
Total Residential Parcels	9,387	100.0%	9,387

Values are decreasing again for the majority of Shoreview homes. As shown in the table at left and the graph below, 7,262 homes experience a decrease in value, 1,095 home values remain the same, and 1,030 home values increase.



## IMPACT ON PROPERTY TAXES

The table below provides estimated changes in the City and HRA share of the property tax bill (using the assumptions on page 2 of this report) for a median value home. No information is available yet about the tax levies of other jurisdictions. To put this table into perspective, Shoreview is typically between 20% and 25% of the total tax bill. A description of the change in tax for a median home under each assumption follows the table.

Market Value				City Portion of Property Tax		Change in City Property Tax		HRA Portion of Property Tax		Change in HRA Property Tax	
Before MVE		Value Change									
2012	2013	Before MVE	After MVE	2012	2013	Dollars	Percent	2012	2013	Dollars	Percent
\$ 277,750	\$ 222,200	-20.0%	-22.8%	\$ 882.84	\$ 756.84	\$(126.00)	-14.3%	\$ 6.74	\$ 5.92	\$(0.82)	-12.2%
\$ 261,400	\$ 222,200	-15.0%	-17.3%	\$ 823.65	\$ 756.84	\$ (66.81)	-8.1%	\$ 6.29	\$ 5.92	\$(0.37)	-5.9%
\$ 246,890	\$ 222,200	-10.0%	-11.6%	\$ 771.11	\$ 756.84	\$ (14.27)	-1.9%	\$ 5.89	\$ 5.92	\$ 0.03	0.5%
\$ 243,000	\$ 222,200	-8.6%	-11.6%	\$ 756.84	\$ 756.84	\$ -	0.0%	\$ 5.78	\$ 5.92	\$ 0.14	2.4%
\$ 235,700	\$ 222,200	-5.7%	-6.7%	\$ 730.55	\$ 756.84	\$ 26.29	3.6%	\$ 5.58	\$ 5.92	\$ 0.34	6.1%
\$ 229,070	\$ 222,200	-3.0%	-3.5%	\$ 706.27	\$ 756.84	\$ 50.57	7.2%	\$ 5.39	\$ 5.92	\$ 0.53	9.8%
\$ 222,200	\$ 222,200	0.0%	0.0%	\$ 681.67	\$ 756.84	\$ 75.17	11.0%	\$ 5.21	\$ 5.92	\$ 0.71	13.6%
\$ 217,850	\$ 222,200	2.0%	2.4%	\$ 665.71	\$ 756.84	\$ 91.13	13.7%	\$ 5.09	\$ 5.92	\$ 0.83	16.3%

- 20% drop in value – City taxes decrease \$126.00 and HRA taxes decrease 82-cents for the year
- 15% drop in value – City taxes decrease \$66.81 and HRA taxes decrease 37-cents
- 10% drop in value – City taxes decrease \$14.27 and HRA taxes increase 3-cents for the year
- 8.6% drop in value – City taxes remain the same and HRA taxes increase 14-cents for the year
- 5.7% drop in value – City taxes increase \$26.29 and HRA taxes increase 34-cents for the year
- 3% drop in value – City taxes increase \$50.57 and HRA taxes increase 53-cents for the year
- No change in value – City taxes increase \$75.17 and HRA taxes increase 71-cents for the year
- 2% increase in value – City taxes increase \$91.13 and HRA taxes increase 83-cents for the year

## SUMMARY

As stated on the first page of this report, staff recommends the City continue its practice of holding a budget hearing at the first regular meeting in December, and consider adoption of the levy and budget at the second meeting in December.

Staff recommends adoption of the attached proposed resolution setting the preliminary tax levy in the amount of \$9,604,567 and \$75,000 for the City and HRA respectively. Staff also recommends setting the budget hearing for the first regular Council meeting in December by approving the attached motion.

As in the past, once the preliminary levy is adopted the Council may decrease the levy, but may not increase the levy at the time of final adoption.

**EXTRACT OF MINUTES OF MEETING OF THE  
CITY COUNCIL OF SHOREVIEW, MINNESOTA  
HELD SEPTEMBER 4, 2012**

Pursuant to due call and notice thereof, a meeting of the City Council of the City of Shoreview, Minnesota, was duly called and held at the Shoreview City Hall in said City on September 4, 2012 at 7:00 p.m. The following members were present: \_\_\_\_; and the following members were absent: \_\_\_\_.

Council member \_\_\_\_ introduced the following resolution and moved for its adoption.

**RESOLUTION NO. 12-78  
RESOLUTION CERTIFYING THE PROPOSED TAX LEVY FOR  
FISCAL YEAR 2013 COMMENCING JANUARY 1, 2013  
BASED UPON THE REQUIREMENTS OF THE 2012 TAX LAW;**

WHEREAS, Current tax law requires cities over 2,500 population to certify a proposed tax levy to the County Auditor by September 15, and;

WHEREAS, the Finance Director has prepared proposed revisions to the 2013 budget, which is the second year of the biennial budget, based upon the requests of departments, the requirements of the 2012 tax law, and the recommendation of the EDA, and;

WHEREAS, the City Manager has recommended a proposed tax levy to support the recommended 2013 budget, and;

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Shoreview, Ramsey County, Minnesota that the proposed preliminary 2013 property tax levies for the City and for the HRA is as follows:

General levy	\$6,639,567
EDA	60,000
Capital funds	<u>2,220,000</u>
Sub-total General levy	\$8,919,567
Debt levy	<u>685,000</u>
Sub-total City tax levy	\$9,604,567
 HRA levy	 <u>\$ 75,000</u>
 Total Certified Levy	 <u>\$9,679,567</u>

Page 2  
September 4, 2012  
Resolution 12-78  
2013 Proposed Tax Levy

BE IT FURTHER RESOLVED, that 1) this proposed tax levy resolution is being submitted by the City in accordance with Minnesota Statutes; 2) the City Council of the City of Shoreview may reduce this levy prior to final adoption, but may not increase the final levy over the amount specified in this resolution; and 3) the resolution represents a good faith effort by the City to substantially comply with applicable law and the guidance supplied by the Department of Revenue and Ramsey County.

The motion for the adoption of the foregoing resolution was duly supported by Council member \_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof: \_\_\_\_; and the following voted against same: \_\_\_\_.

WHEREUPON, said resolution was declared duly passed and adopted this 4th day of September 2012.

**PROPOSED MOTION**

**MOVED BY COUNCILMEMBER** \_\_\_\_\_

**SECONDED BY COUNCILMEMBER** \_\_\_\_\_

To approve the engagement letter for City Attorney services with Kelly & Lemmons, P.A.

ROLL CALL: AYES \_\_\_\_\_ NAYS \_\_\_\_\_

HUFFMAN \_\_\_\_\_

QUIGLEY \_\_\_\_\_

WICKSTROM \_\_\_\_\_

WITHHART \_\_\_\_\_

MARTIN \_\_\_\_\_

Regular Council Meeting  
September 4, 2012

**TO: MAYOR AND COUNCILMEMBERS**

**FROM: TERRY SCHWERM  
CITY MANAGER**

**DATE: AUGUST 30, 2012**

**SUBJECT: AGREEMENT FOR LEGAL SERVICES**

### **INTRODUCTION**

As the Council is aware, City Attorney Jerry Filla recently moved from the Peterson, Fram & Bergman law firm to the Kelly & Lemmons firm. The Council is being asked to approve an engagement letter for City Attorney services including both civil law and prosecution services with the Kelly & Lemmons, P.A. firm.

### **BACKGROUND**

The City's long-time City Attorney Jerry Filla recently moved from the Peterson, Fram & Bergman law firm to the Kelly & Lemmons firm. According to Mr. Filla, the primary reason for making the switch to a different firm was to provide additional municipal legal support during vacations or other times that he is out of the office.

The Kelly & Lemmons firm has significant municipal experience in both civil and prosecution services. Further, Pat Kelly, President of the Kelly & Lemmons firm, currently serves as the City Attorney in Little Canada and the Township of White Bear. He also served as the City Attorney in Maplewood for 30 years. Several other attorneys in their firm also perform both civil and prosecution services for cities in the area.

On August 16, City staff (City Manager, Public Works Director, Community Development Director) met with Pat Kelly, Jerry Filla and other members of the Kelly & Lemmons staff to discuss Mr. Filla's transition to the new firm. At the meeting, Mr. Kelly presented background information and introduced several attorneys that would be assisting Mr. Filla both during vacations and with other elements of his work. After meeting with the key staff from Kelly & Lemmons, staff believes that the switch to a firm with a greater municipal focus will be a benefit to the City.

Accordingly, attached is a copy of an engagement letter that would officially approve the Kelly & Lemmons, P.A. firm to provide City Attorney services including both civil law services and prosecution services to the City. The agreement maintains the rate structure that Mr. Filla used at the Peterson, Fram & Bergman firm and is fairly consistent with rates that Kelly & Lemmons charges other communities. The agreement's term covers the remainder of 2012 and all of

2013. This term will allow the City sufficient time for the Council and City staff to become familiar with and evaluate the work of other attorneys at Kelly & Lemmons that will be assisting Shoreview from time to time.

**RECOMMENDATION**

Based on the foregoing information, it is recommended that the City Council approve the engagement letter for City Attorney services with Kelly & Lemmons, P.A. This action will retain Jerry Filla as Shoreview's attorney through 2013.

**Kelly & Lemmons, P.A.**  
ATTORNEYS AT LAW

• Patrick J. Kelly  
pkelly@kellyandlemons.com

Licensed in Minnesota and Wisconsin

August 30, 2012

Mr. Terry Schwerm  
City Manager  
City of Shoreview  
4600 North Victoria Street  
Shoreview, MN 55126

**VIA U.S. MAIL**

**RE: Engagement Letter – City Attorney Services**

Dear Mr. Schwerm:

I write this letter to confirm our acceptance of the City's selection of our firm as its City Attorney, and the terms of our engagement with Shoreview.

1. Services, Term.

Our firm will provide the following services as City Attorney for Shoreview from the date of execution of this Agreement to December 31, 2013, unless otherwise terminated by the City:

**Civil Law Services**

1. Attend City Council meetings and other City Board, Authority, Commission or Committee meetings as requested by the City Council or City Manager.
2. Draft and/or review ordinances, resolutions, and correspondence, as requested. Review City Council agendas and meeting minutes as requested.
3. Advise the Mayor, Council Members, City Manager, Department Heads and other staff on city legal matters when requested or when it appears actions may not be appropriate.
4. Prepare and/or review municipal contracts, such as contracts for public improvements, joint powers agreements, construction, and purchase of equipment as requested.

5. Maintain Codification of City ordinances on a regular basis.
6. Represent City in matters related to the enforcement of City building, zoning, subdivision codes and related codes.
7. Research and submit legal opinions on municipal or other legal matters, as requested by City Council or City Manager.
8. Meet with the City Council, Economic Development Authority, City Manager, Department Heads and City Staff as needed to review Council agenda items, the status of all legal matters before the City.
9. Provide legal briefings as requested to City Council and Staff regarding new or proposed legislation affecting municipal operations and activities.
10. Provide written updates on new State or Federal legislation or judicial decisions impacting the City; including suggested action or changes in operations or procedures to assure compliance.
11. Provide advice on open meeting law, data practices issues, and records retention.
12. Represent the City in employment related issues including administrative hearings and in litigation involving same.
13. Interpret and advise with respect to municipal employment matters including, but not limited to, PERA, labor agreements, personnel policy, FLSA, Veterans' Preference, and unemployment compensation.
14. Defend City in litigation (except in those cases where insurance companies are required to provide defense) including, but not limited to, 1) human rights claims; 2) condemnation; 3) permits and administrative actions; and 4) labor and employment matters.
15. Defend City in uninsured claims and other insurance matters.
16. In coordination with Bond Counsel, review of financing, special assessments, bonds and insurance requirements required by or for City contracts or activities.
17. Assist the City in the acquisition of properties for public improvements, easements, economic development, and parks.

18. Represent City in condemnation proceedings for land acquisition associated with various public improvement projects.
19. Represent City in workers' compensation matters; except as addressed by the City's insurance carrier.
20. Initiate litigation on behalf of City as requested by City Council.
21. Interpret and advise regarding State land use statutes and the City Code.
22. Interpret and advise regarding laws relating to Comprehensive Plans and Metropolitan Council approvals.
23. Interpret and advise regarding impact fees and legal uses.
24. Advise and represent the City on environmental matters.
25. Advise the City/review the following:
  - a. Conditional Use Permits and Variance Requests including the adequacy of "findings of fact" used to support the action taken.
  - b. Vacation of Rights-of-way
  - c. Special Assessments
  - d. Planned Unit Developments
  - e. Development Agreements
  - f. Subdivision and Zoning Requests
26. City Council/City Manager, Interpret and advise regarding TIF laws and their application.
27. Perform any other services, at the direction of the City Council, that are appropriate for the City Attorney to aid in the efficient operation of the City.

**Prosecution Services**

1. Represent and prosecute all criminal law matters within the City's jurisdiction that are not the responsibility of the County Attorney, includes but not limited to attendance at arraignments as scheduled by the Ramsey County District Court, scheduling and coordinating of officer appearances, reviewing all criminal cases presented for purposes of prosecution, determine technical compliance with criminal code and other state statutes, writing complaints, making recommendations to the Court for alternatives to prosecution where

appropriate, act as a resource to the City's law enforcement agency in the development of criminal cases, and provide training sessions for law enforcement staff as needed.

2. Timely pursuit of disposition of criminal cases in advance of actual Court cases to avoid unnecessary officer court time.
3. Subject to the development of a policy for forfeitures to be approved by the City Council, process and present forfeiture cases on behalf of the City's law enforcement agency pursuant to said policy.
4. Provide an annual report to the City Council on prosecution activities conducted in the name of the City.

2. Compensation. (a) Kelly & Lemmons, P.A. will submit monthly billing statements for the services it provides to Shoreview under this Agreement. Our firm tracks and bills its time in quarter-hour increments. We will send detailed billing statements which reflect the date, time billed, person performing the work, description of the work performed, and the line item amount. Our compensation for the above services will be as follows:

#### **Civil Services**

Generally, for work on civil matters, Kelly & Lemmons, P.A. will charge an hourly rate of **\$120.00** per hour for non-civil litigation work performed by attorneys; **\$140.00** per hour for civil litigation work performed by attorneys; and **\$60.00** per hour for work performed by law clerks or paralegals. The monthly retainer is **\$1250.00** per month.

#### **Prosecution Services**

For work on prosecution matters, including civil property forfeitures under the criminal codes, Kelly & Lemmons, P.A. will charge an hourly rate of **\$75.00** per hour for work performed by attorneys, and a rate of **\$50.00** per hour for work performed by law clerks or paralegals.

(b) Kelly & Lemmons, P.A. may incur various expenses in providing services on behalf of Shoreview. The City shall reimburse Kelly & Lemmons, P.A. for all out-of-pocket expenses. We have agreed to the following rates for common reimbursable expenses:

Photocopies:	\$.20 per page.
Facsimile:	\$1.00 per page.
Postage:	current postage rates.

Long Distance: As incurred.

Other costs incurred in providing services (e.g. service of process, subpoena fees) will be submitted for reimbursement with each month's billing statement without markup.

(c) Kelly & Lemmons, P.A. agrees to keep its billing rates stable for the next 2 years following the execution of this agreement (calendar years 2012 and 2013).

3. At Will Agreement. The parties acknowledge that this is an At Will Agreement.

Upon termination of representation, all files and records relevant to this representation will be made available to Shoreview for removal. In the event Shoreview does remove said records and files, Kelly & Lemmons, P.A. shall have the right to copy the file in its entirety with the cost of said copying to be borne by Shoreview. Shoreview also agrees to compensate Kelly & Lemmons, P.A. for up to thirty (30) days following termination of the agreement for reasonable time and reimbursable expenses incurred in transitioning work in progress to a successor counsel.

4. Miscellaneous. Kelly & Lemmons, P.A. reserves the right to store file materials in a professional manner and for a professionally acceptable period of time. Such storage may include the use of commercial storage facilities. Shoreview further agrees to pay any reasonable cost incurred by Kelly & Lemmons, P.A. in the recovery and refiling of said file materials, should that be necessary. Such costs may include, but are not limited to, service fees charged by commercial storage vendors.

No modification of this Agreement shall be valid unless it is in writing and signed by both parties. The representatives of Shoreview signing below have read this Agreement and have had an opportunity to ask questions regarding any portions of this Agreement which they do not understand.

Once again, we would like to say "thank you" to the City for selecting us, and we look forward to building a strong working relationship with Shoreview.

If you have any questions regarding the proposed terms of this Agreement, please contact me.

*Mr. Terry Schwerm  
August 30, 2012  
Shoreview Engagement Letter  
Page 6*

Respectfully yours,

**KELLY & LEMMONS, P.A.**

Patrick J. Kelly

Accepted on behalf of Shoreview:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Manager

PJK/smk